

NEWS RELEASE

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July 7, 2017

Juries convict 2 impaired drivers; habitual impaired driver sent to prison

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team convicted 13 defendants, including 10 impaired drivers, during a recent trial session in Superior Court. These defendants were either found guilty by a jury, pled guilty or remanded their cases to District Court for sentencing. The proceedings were held June 26-30, 2017, in courtroom 5170 before The Honorable Eric L. Levinson.

The Misdemeanor Appeals Team prosecutes cases in which the defendant was convicted in District Court and then appeals his or her conviction to Superior Court for a jury trial, as allowed under North Carolina law.

Alisha Hailey, 37, was tried for driving while impaired. A jury returned a verdict of *guilty*. Judge Levinson sentenced Hailey to 6 months in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 18 months of unsupervised probation. As conditions of her probation, Hailey must perform 72 hours of community service and pay a \$500 fine. In May 2014, Charlotte-Mecklenburg police responded to a single car wreck in uptown Charlotte. When officers arrived, Hailey was already in an ambulance. She admitted that she had been drinking and told officers that she was too incoherent to drive. Hailey was taken to the hospital, where officers collected a blood sample. Her blood alcohol concentration was .27.

Daniel Morgan, 54, was tried for driving while impaired. A jury returned a verdict of *guilty*. After the verdict, Morgan made a motion for judgment notwithstanding the verdict and asked that the charges be dismissed by the Court. Judge Levinson denied the motion and sentenced Morgan to 60 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation. As conditions of his probation, Morgan must perform 24 hours of community service and pay a \$300 fine.

Dilmer Rivera, 51, pled guilty to felony habitual impaired driving. Rivera was sentenced to 26-41 months in prison. In March 2016, the Charlotte-Mecklenburg police responded to a single car crash on the outer loop of Interstate 485 near Interstate 77. When officers arrived, Rivera was sitting in the back seat of the car behind the driver's seat, and his front seat passenger had exited the car. Rivera's cellphone was found on the driver's seat, and his passport and other identification were found tucked into the driver's side visor. There was an open can of beer on the ground near the car. Rivera refused roadside field sobriety tests, but he later gave consent to have his blood drawn. An analysis of his blood revealed an alcohol concentration of .20. Rivera's 26-41 month sentence is to run consecutive to the prison sentence he is already serving for a prior felony habitual impaired driving conviction.

Jeffrey Guardado, 32, pled guilty to driving while license revoked. Guardado was sentenced to 100 days in the Mecklenburg County Jail.

Ashley Price, 31, pled guilty to 1) driving while impaired and 2) speeding 49 in a 35 mph zone. Price was sentenced to 100 days in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 12 months of unsupervised probation. As conditions of her probation, Price must perform 48 hours of community service and pay a \$350 fine.

Note: For more information about the District Attorney's Office, visit www.charmeckda.com. For updates and other information, "like" the DA's Office on Facebook at www.facebook.com/charmeckda and follow us on Twitter: @CharMeckDA.

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