

# NEWS RELEASE

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District Attorney

**July 13, 2012**

## **Defendants convicted in superior court after appealing district court convictions**

CHARLOTTE, N.C. – The Misdemeanor Appeals Team for the Mecklenburg County District Attorney's Office held court in Courtroom 5170 during the week of July 2, 2012. The Superior Court Judge presiding was The Honorable Beverly T. Beal.

Monday was designated as an administrative day in Courtroom 5170. In the morning, the State called the trial calendar for the week. The court then heard felony probation violation probable cause hearings and arraignments for misdemeanor appeals cases. Court was closed for a holiday on Wednesday.

The following trials, motions, pleas and remands were done throughout the week:

Grace E. Model, 22, was charged with (1) driving while impaired and (2) driving after consuming <21. Model pled guilty to driving while impaired and was sentenced to 120 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Larry Dornelle Quick, 35, was charged with (1) misdemeanor larceny, (2) resisting a public officer and (3) disorderly conduct. Quick pled guilty to misdemeanor larceny and resisting a public officer and was sentenced to 120 days in the county jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Adrianna Marie Young, 22, was charged with simple assault. Young pled guilty to simple assault and was sentenced to 30 days in the county jail; that sentence was suspended pending the successful completion of 18 months of unsupervised probation.

Keith Caison, 41, was charged with (1) possession of drug paraphernalia, (2) consuming a malt beverage while driving and (3) no operator's license. Caison pled guilty to possession of drug paraphernalia and was sentenced to 120 days in the county jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Marcus A. White, 34, was tried for assault on a government official. The jury was unable to reach a unanimous verdict and Judge Beal declared a mistrial. The case will be reset for trial.

Charles Peeples, 39, was convicted of communicating threats when he remanded his case for sentencing in district court.

Timofey Glushenya, 26, was convicted of driving while license revoked when he remanded his case for sentencing in district court.

*Note: Misdemeanors and infractions are originally prosecuted in district court in North Carolina. In criminal district court, a judge determines guilt, not a jury; this is commonly referred to as a “bench trial.” However, defendants have a right to appeal a conviction from the district court to the superior court for a trial de novo. The new trial in superior court must be a jury trial, not a bench trial. In a de novo trial, the jury cannot be informed that a district court judge previously found the defendant guilty; further, a record of any evidence, including testimony, from district court may not be introduced. While the DA’s Office prosecutes nearly 225,000 misdemeanors and infractions each year in district court in Mecklenburg County, each defendant is entitled to exercise his/her right to appeal to the superior court. When a misdemeanor or infraction occupies the limited time available in our superior courtrooms, it the intent of the DA’s Office to keep the public informed of the results through news releases like this one. Due to the volume of misdemeanors and infractions prosecuted in district court each day, reports like this are not possible for all of those cases.*

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