

NEWS RELEASE

R. Andrew Murray
District Attorney

August 16, 2012

Four drug defendants have jury trials; others plead guilty

CHARLOTTE, N.C. – The DA's Drug Prosecution Team prosecuted 14 defendants the week of August 6, 2012, through August 10, 2012, in Mecklenburg County Superior Court. Trials and motions were held in courtroom 5150 before The Honorable Linwood O. Foust, Superior Court Judge, and in courtroom 5130 before The Honorable Anna M. Wagoner, Superior Court Judge.

Shaneff Little, 35, was tried for one count of possession of cocaine. The jury returned a verdict of *guilty*. Judge Wagoner sentenced Little to 6-8 months in prison; that sentence was suspended pending Little's successful completion of 30 months of supervised probation.

David Cook, 33, was tried for 1) possession with intent to sell or deliver marijuana and 2) felony possession of marijuana. The jury returned a verdict of *guilty* on felony possession of marijuana and *not guilty* on possession with intent to sell or deliver marijuana. Judge Foust sentenced Cook to 4-5 months in prison; that sentence was suspended pending his successful completion of 18 months of supervised probation.

Roxine Hassan, 21, was tried for 1) sale of marijuana and 2) possession with intent to sell or deliver marijuana. The jury returned a verdict of *not guilty* on sale of marijuana and was unable to reach a unanimous verdict on possession with intent to sell or deliver marijuana. Judge Wagoner declared a mistrial on the charge of possession with intent to sell or deliver marijuana.

Dewayne Hemphill, 22, was tried for possession of cocaine. The jury returned a verdict of *not guilty*.

Kevin Duffy, 33, filed a motion to suppress evidence seized by law enforcement, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Foust granted Duffy's motion.

Claude McClinton, 32, filed a motion to suppress evidence seized by law enforcement, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Wagoner granted McClinton's motion. As a result, the State dismissed the case.

Clifford Martin, 32, filed a motion to suppress evidence seized by law enforcement, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the

Assistant District Attorney, Judge Foust granted Martin's motion. As a result, the State dismissed the case.

Keith Griffin, 35, filed a motion to suppress evidence seized by law enforcement, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Foust granted Griffin's motion.

Levi Toney, 27, filed a motion to suppress identification, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Foust denied Toney's motion. At the conclusion of the motion, the defendant requested a continuance, which was granted by Judge Foust. The case will proceed to trial at a later date.

Lamarcus Seabrooks, 26, filed a motion to suppress evidence seized by law enforcement, alleging violations of his legal rights. After hearing testimony and arguments from the defense and the Assistant District Attorney, Judge Wagoner denied Seabrooks's motion. The defendant then pled guilty as charged to 1) possession with intent to sell or deliver marijuana, 2) felony possession of marijuana and 3) possession of drug paraphernalia. Judge Wagoner sentenced Seabrooks to two consecutive sentences of 5-6 months in prison; those sentences were suspended pending his successful completion of 30 months of supervised probation.

Four defendants pled guilty when their cases were called for trial:

Gilberto Gabino, 33, pled guilty to one count of trafficking in cocaine. Judge Wagoner sentenced Gabino to 35-42 months in prison.

Antonio Massey, 26, pled guilty to 1) possession with intent to sell or deliver cocaine, 2) assault on government official and 3) resisting a public officer. Judge Foust sentenced Massey to 5-6 months in prison.

Kimberly Dubose, 32, pled guilty to 1) three counts of sale of cocaine, 2) four counts of delivery of cocaine and 3) four counts of possession with intent to sell or deliver cocaine. Judge Wagoner sentenced Dubose to 3 sentences of 13-16 months in prison; those sentences were suspended pending Dubose's successful completion of 36 months of probation. As a condition of probation, Dubose must serve 90 days in the county jail.

Cedric McCray, 31, pled guilty to possession of cocaine. Judge Wagoner sentenced him to 6-8 months in prison. That sentence was suspended pending his successful completion of 24 months of supervised probation. As one of his conditions of probation, McCray must complete the DART program.

// End //