

NEWS RELEASE

R. Andrew Murray
District Attorney

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Misdemeanor Appeals Team convicts 33; sends 2 habitual DWI offenders to prison

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team recently completed a three-week trial calendar that ran July 29-August 16, 2013. During the three-week period, the team tried 10 cases and convicted a total of 33 defendants. The Misdemeanor Appeals Team prosecutes cases in which the defendant was convicted in District Court and then appealed his or her conviction to Superior Court for a jury trial, as allowed under North Carolina law.

The proceedings were held before The Honorable Susan E. Bray, The Honorable Richard D. Boner and The Honorable Yvonne Mims Evans, Superior Court Judges. The 10 cases that went to trial involved charges of driving while impaired, simple assault and assault on a government official. The team convicted seven defendants at trial, and another 26 defendants were convicted when they pled guilty or remanded their cases to District Court. Of the 33 defendants who were convicted, 21 of them were convicted of driving while impaired.

Prosecutors also made arguments in nine cases appealed by the State after a District Court Judge previously ruled in favor of the defendant on a matter of law. In eight of the nine cases, a Superior Court Judge reversed the District Court Judge's decision.

The team tried the following cases:

Andrew Pigg, 26, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Bray sentenced Pigg to 12 months in prison; that sentence was suspended pending the successful completion of 24 months of supervised probation. As a condition of probation, Pigg must serve 7 days in the Mecklenburg County jail.

Christopher Pomposo, 36, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Bray sentenced Pomposo to 12 months in prison; that sentence was suspended pending the successful completion of 24 months of supervised probation. As a condition of probation, Pomposo must serve 7 days in the Mecklenburg County jail.

Sonyetta Billings, 37, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Bray sentenced Billings to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 24 months of unsupervised probation.

Jaimi Brooks, 23, was tried for assault on a government official. The jury returned a verdict of *guilty*. Judge Evans sentenced Brooks to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Bruce Townsend, 46, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Bray sentenced Townsend to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 24 months of unsupervised probation.

Erica Lawrence, 30, was tried for driving while impaired. During the course of the trial, Lawrence decided to plead guilty. Judge Bray sentenced Lawrence to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 24 months of unsupervised probation.

Aaron Badis, 26, was tried for simple assault. The jury returned a verdict of *guilty*. Judge Boner sentenced Badis to 30 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Robert Bullock, 47, was tried for driving while impaired. Judge Boner declared a mistrial after the jury was unable to reach a unanimous verdict.

Grant Desbordes, 41, was tried for driving while impaired. The jury returned a verdict of *not guilty*.

Randy Huskey, 55, was tried for driving while impaired. The jury returned a verdict of *not guilty*.

Among the defendants who pled guilty were:

Joseph Ferree, 33, pled guilty to habitual impaired driving. Judge Boner sentenced Ferree to 17-30 months in prison.

Anthony Hailey, 37, pled guilty to habitual impaired driving. Judge Bray sentenced Hailey to 15-27 months in prison.

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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