

NEWS RELEASE

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19 of 22 convicted by DA's Misdemeanor Appeals Team are impaired drivers

CHARLOTTE, N.C. – Over the course of three weeks, 19 of 22 defendants convicted by the District Attorney's Misdemeanor Appeals Team were impaired drivers, including a habitual impaired driver who was sent to prison. These defendants were found guilty by juries, pled guilty or remanded their cases to District Court for sentencing. The proceedings were held August 1-19, 2016, in courtrooms 5130 and 5170 before The Honorable Carla N. Archie, The Honorable Daniel A. Kuehnert and The Honorable Casey M. Viser, Superior Court Judges.

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 team tried the following nine cases:

Jaron Reid, 33, was tried for driving while impaired. The jury found him *guilty*. Judge Archie sentenced Reid to 12 months in prison; that sentence was suspended pending his successful completion of 18 months of supervised probation. As a condition of his probation, Reid must complete 240 hours of community service.

Aleksey Koshechko, 34, was tried for 1) driving while impaired, 2) reckless driving and 3) following too closely. The jury found him *guilty* of driving while impaired and *not guilty* of the remaining charges. Judge Viser sentenced Koshechko to 150 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of supervised probation. As a condition of his probation, Koshechko must serve 10 days in jail.

Angel Celis, 29, was tried for driving while impaired. The jury found him *guilty*. Judge Viser sentenced Celis to 120 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation. As a condition of his probation, Celis must serve 3 days in jail.

Kenneth Green, 37, was tried for 1) driving while licensed revoked and 2) expired registration card. The jury found him *guilty* as charged. Judge Archie sentenced Green to 120 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 18 months of supervised probation. As a condition of his probation, he must complete 48 hours of community service.

Melonie Geddes, 44, was tried for driving while impaired. The jury found her *guilty*. Judge Viser sentenced Geddes to 60 days in the Mecklenburg County Jail; that sentence was

suspended pending her successful completion of 12 months of unsupervised probation. As a condition of her probation, Geddes must complete 24 hours of community service.

Celeuco Villasmil, 49, was tried for driving while impaired. The jury found him *guilty*. Judge Viser sentenced Villasmil to 45 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation.

Michael Torres, 48, was tried for 1) driving while impaired and 2) possession of an open container. The jury found him *guilty* of driving while impaired and *not guilty* of possession of an open container. Judge Viser sentenced Torres to 30 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation.

William Phillips, 45, was tried for 1) two counts of assault on a female, 2) communicating threats and 3) attempted obstruction of justice. The jury found him *not guilty*.

Claudia Gonzalez, 40, was tried for driving while impaired. The jury found her *not guilty*.

Among those who pled guilty were:

Robert Stewart, 54, pled guilty to habitual impaired driving. Stewart was sentenced to 25-39 months in prison.

William Taylor, 26, pled guilty to driving while impaired. Taylor was sentenced to 12 months in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 24 months of supervised probation. As a condition of his probation, Taylor must serve 30 days in jail.

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 is 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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