

# NEWS RELEASE

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District Attorney

**September 12, 2017**

## **Trial session leads to convictions of 7 impaired drivers**

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team convicted eight defendants during a recent trial session in Superior Court. Seven of those convicted were impaired drivers, including one who is a habitual impaired driver. These defendants were either found guilty by a jury, pled guilty or remanded their cases to District Court for sentencing. The proceedings were held September 5-8, 2017, in courtroom 5170 before The Honorable Yvonne Mims Evans. Court was not held on September 4, 2017, in observance of Labor Day.

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.

Jimmy Bostic, 56, was tried for driving while impaired. A jury returned a verdict of *guilty*. Judge Evans sentenced Bostic to 30 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, Bostic must perform 30 hours of community service and pay a \$250 fine.

Sabrina Lyles Harris, 27 was tried for injury to personal property. A jury found Harris *not guilty*.

Sergio Terrell, 26, filed a motion to suppress certain evidence seized or obtained by law enforcement, alleging violations of his legal rights. Judge Evans, who heard arguments from the defense and an Assistant District Attorney, denied the motion. Terrell then pled guilty to driving while impaired. Terrell was sentenced 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, Terrell must perform 48 hours of community service, pay a \$250 fine and submit to a substance abuse assessment and follow any recommendations for treatment.

Leon Massey, 39, pled guilty to habitual impaired driving. Judge Evans sentenced Massey to 23-37 months in prison. In January 2017, Charlotte-Mecklenburg police stopped Massey for speeding on Interstate 77 near Nations Ford Road. Officers noticed an odor of alcohol and that Massey's speech was slurred. After Massey performed poorly on field sobriety tests, officers arrested him for impaired driving. A blood sample revealed that his blood alcohol concentration was .23. Massey has four prior convictions for impaired driving, including another habitual impaired driving offense.

Willie Ramseur, 76, pled guilty to driving while impaired. Ramseur was sentenced to 24 months in custody; that sentence was suspended pending his successful completion of 18 months of supervised probation. As conditions of his probation, Ramseur must serve 120 days in the Mecklenburg County Jail and pay a \$500 fine.

Dennis Leslie, 55, pled guilty to driving while impaired. Leslie was sentenced to 12 months in custody; that sentence was suspended pending his successful completion of 12 months of supervised probation. As conditions of his probation, Leslie must serve 30 days in the Mecklenburg County Jail, pay a \$250 fine and submit to a substance abuse assessment and follow any treatment recommendations.

Cory Tudor, 31, pled guilty to driving while impaired. Tudor was sentenced to 30 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, Tudor must perform 30 hours of community service and pay a \$250 fine.

*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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