

# NEWS RELEASE

**R. Andrew Murray**  
District Attorney

**December 19, 2012**

## **Misdemeanor Appeals Team convicts 20 defendants in DWI cases**

CHARLOTTE, N.C. – The Misdemeanor Appeals Team of the Mecklenburg County District Attorney's Office recently completed a three-week trial calendar that ran from November 26, 2012, to December 14, 2012. The Misdemeanor Appeals Team handles 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. During the three-week period, the team prosecuted 37 cases.

The team called cases in all four Superior Court trial courtrooms and handled cases ranging from minor traffic tickets to driving while impaired charges. Six cases went to trial, with four ending in driving while impaired convictions and two ending in mistrials. Fourteen defendants pled guilty to driving while impaired charges, and two others were convicted after remanding their cases to District Court. The driving while impaired sentences ranged from probation to 12 months in jail.

### **The following defendants were convicted of driving while impaired:**

Michael Snead, 23, pled guilty. The Honorable Christopher W. Bragg, Superior Court Judge, sentenced him to 12 months in the county jail to be followed by 4 months of continuous alcohol monitoring.

Omar Garcia-Meza, 33, pled guilty. The Honorable Yvonne Mims Evans, Superior Court Judge, sentenced him to 12 months in prison.

Patricia Brooks, 49, pled guilty. Judge Evans sentenced her to 6 months in the county jail; that sentence was suspended pending the successful completion of 24 months of supervised probation. As a special condition of her probation, Brooks must serve 7 days in the county jail.

Freddie Ginn, 56, pled guilty. Judge Evans sentenced him to 12 months in the county jail; that sentence was suspended pending the successful completion of 24 months of supervised probation. As a special condition of his probation, he must serve 7 days in the county jail.

Frederick Legette, 43, pled guilty. Judge Evans sentenced him to 12 months in the county jail; that sentence was suspended pending the successful completion of 12 months supervised probation. As a special condition of his probation, he must serve 7 days in the county jail.

Hitesh Patel, 43, pled guilty. Judge Bragg sentenced him to 12 months in the county jail; that sentence was suspended pending the successful completion of 12 months of supervised probation. As a special condition of his probation, he must serve 7 days in the county jail.

Joanna Beck, 36, was found guilty after a trial. Judge Bragg sentenced her to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Tracey Faddis, 43, was convicted when she remanded her case to District Court for sentencing. She was sentenced to 30 days in jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Teresa Johnston, 48, pled guilty. Judge Bragg sentenced her to 30 days in the county jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Kevin Kilcarr, 52, was convicted when he remanded his case to District Court for sentencing. Kilcarr was sentenced to 30 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Veli Limani, 47, was found guilty after trial. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Edward McGrath, 50, pled guilty. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Thomas Pirtle, 39, was found guilty after trial. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Adam Seifer, 38, pled guilty. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 6 months of unsupervised probation.

Alberto Shalon, 53, was found guilty after trial. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Robert Shea, 42, pled guilty. The Honorable Alexander Mendaloff, III, Superior Court Judge, sentenced him to 180 days in the county jail. Shea was given 180 days of credit for time spent in an inpatient alcohol treatment program.

Minh Tran, 31, pled guilty. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Richard Vanhanswyk, 57, pled guilty. Judge Bragg sentenced him to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Lauren Walker, 29, pled guilty. Judge Bragg sentenced her to 60 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Colleen Wilcox, 35, pled guilty. Judge Mendaloff sentenced her to 30 days in the county jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

*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.*

// End //

