

# NEWS RELEASE

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## Misdemeanor Appeals Team convicts defendants of DWI

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team recently tried two defendants in Superior Court. One defendant entered a guilty plea while another defendant remanded his case to District Court for sentencing. Motions were also held in other matters. The proceedings were held March 11-15, 2019, in courtroom 5170 before The Honorable Donnie Hoover, Superior Court Judge.

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.

Delano Jasper, 42, was tried for 1) driving while impaired, 2) speeding and 3) reckless driving. During his trial, Jasper decided to plead guilty to speeding and reckless driving. A jury then found him *guilty* of driving while impaired. Judge Hoover sentenced Jasper to 30 days in the Mecklenburg County Jail; that sentence was suspended pending the defendant's successful completion of 12 months of unsupervised probation.

Matthew Shook, 29, was tried for driving while impaired. A jury returned a verdict of *guilty*. Judge Hoover sentenced Shook to 30 days in the Mecklenburg County Jail; that sentence was suspended pending Shook's successful completion of 12 months of unsupervised probation.

Desmond Glenn, 29, pled guilty to driving while impaired. Judge Hoover sentenced Glenn to 60 days in the Mecklenburg County Jail; that sentence was suspended pending Glenn's 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 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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