

NEWS RELEASE

R. Andrew Murray
District Attorney

May 31, 2017

Misdemeanor Appeals Team convicts 5 impaired drivers

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team convicted five impaired drivers during a recent trial session in Superior Court. These defendants were either found guilty by a jury, pled guilty or remanded their cases to District Court for sentencing. The proceedings were held May 22-25, 2017, before The Honorable Jesse B. Caldwell, III, 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.

Matthew Jonak, 36, was tried for driving while impaired. A jury found Jonak *guilty* as charged. Judge Caldwell sentenced Jonak 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, Jonak must perform 24 hours of community service and pay a \$100 fine.

Isabelle Minett, 19, pled guilty to driving while impaired. Judge Caldwell sentenced Minett to 30 days in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 12 months of unsupervised probation. As conditions of her probation, Minett must perform 24 hours of community service and pay a \$100 fine.

Katherine Lefevre, 40, pled guilty to driving while impaired. Judge Caldwell sentenced Lefevre to 30 days in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 12 months of unsupervised probation. As conditions of her probation, Lefevre must perform 24 hours of community service and pay a \$100 fine.

Roland Shanks, 36, pled guilty to driving while license revoked. Judge Caldwell sentenced Shanks to 30 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of supervised probation. As conditions of his probation, Shanks must obtain a substance abuse assessment and follow any treatment recommendations, pay a \$200 fine and not drive until licensed to do so.

Two additional defendants filed motions to suppress certain evidence seized or obtained by law enforcement, alleging violations of their legal rights. Judge Caldwell, who heard arguments from the defense and an Assistant District Attorney, denied both motions.

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.

// End //

