

NEWS RELEASE

R. Andrew Murray
District Attorney

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Misdemeanor Appeals Team convicts 55, including 46 DWI offenders

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Misdemeanor Appeals Team recently completed a three-week trial calendar that ran May 13-31, 2013. During the three-week period, the team tried nine cases and convicted 55 defendants. 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.

The team called cases in two Superior Court courtrooms before The Honorable Richard L. Doughton and The Honorable C. Thomas Edwards, Superior Court Judges. The nine cases that went to trial involved charges of driving while impaired, breaking or entering and assault. The team convicted eight defendants at trial and another 47 defendants pled guilty or were convicted after remanding their cases to District Court. Of those convicted, 44 of them were convicted of driving while impaired. Another two were convicted of habitual driving while impaired.

The team took the following cases to trial:

Victoria Tsilimos, 49, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced her to 6 months in prison; that sentence was suspended pending the successful completion of 24 months of supervised probation. As a condition of probation, Tsilimos must serve 7 days in the Mecklenburg County jail.

Andre Staley, 29, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced him to 120 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 18 months of supervised probation.

Mary Traettino, 52, was tried for 1) misdemeanor breaking or entering, 2) simple assault and 3) two counts of assault on a child under 12 years old. The jury returned verdicts of *guilty* on all counts. Judge Doughton sentenced Traettino to a total of 150 days in the Mecklenburg County jail; those sentences were suspended pending the successful completion of 12 months of supervised probation.

Kevin Wynn, 58, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Edwards sentenced Wynn to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Logan Canale, 25, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced her to 60 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Romin Bonakdar, 26, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced him to 30 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Amy Cloer, 51, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced her to 30 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of supervised probation.

Jeffrey Dippel, 43, was tried for driving while impaired. The jury returned a verdict of *guilty*. Judge Doughton sentenced him to 30 days in the Mecklenburg County jail; that sentence was suspended pending the successful completion of 12 months of unsupervised probation.

Ramod Marshall, 32, was tried for driving while impaired. The jury returned a verdict of *not guilty*.

Among those who were convicted after pleading guilty were:

Edilberto Garcia, 46, pled guilty to habitual impaired driving. Judge Edwards sentenced him to 15-18 months in prison.

Victor Sharp, 32, pled guilty to habitual impaired driving. Judge Edwards sentenced him to 15-18 months in prison.

Michael Ligon, 64, pled guilty to driving while impaired. Judge Edwards sentenced him to 22 months in prison.

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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