

NEWS RELEASE

Spencer B. Merriweather
III
District Attorney

February 3, 2025

Special Victims Team convicts 4 defendants at trial

CHARLOTTE, N.C. – The Mecklenburg County District Attorney's Special Victims Team convicted four defendants during the team's recent trial session, which began on January 21, 2025, and ended on January 30, 2025. The proceedings were held in courtrooms 5110, 5170, and 5370 before the Honorable Carla N. Archie, the Honorable Peter B. Knight, and the Honorable Sally Kirby-Turner, Superior Court Judges.

Darrian Perry, 54, was tried for 1) second-degree burglary, 2) injury to personal property, 3) breaking or entering to terrorize or injure, and 4) communicating threats. The jury found him *guilty* of 1) injury to personal property and 2) two counts of the lesser-included offenses of misdemeanor breaking or entering. He was found *not guilty* of communicating threats. Judge Kirby-Turner sentenced him to 120 days in jail for the breaking or entering charges. For the injury to personal property charge, he was given a consecutive sentence of 120 days in jail; that sentence was suspended pending his successful completion of 24 months of supervised probation.

Jairo Lopez, 36, was tried for 1) assault by strangulation and 2) assault on a female. The jury found him *guilty as charged*. Judge Archie sentenced him to 7-18 months in prison.

Roy Handon, 39, was tried for violation of a domestic violence protective order with a deadly weapon. The jury found him *guilty as charged*. Judge Knight sentenced him to 11-23 months in prison; that sentence was suspended pending the defendant's successful completion of 30 months of supervised probation.

In May 2022, the defendant's wife sought a domestic violence protective order against him. A judge granted the order, which prohibited Handon from contacting her or being on her property. In March 2023, Handon used a rideshare app to get a ride to his wife's home. He made some statements during the ride that concerned the driver who called 911. Officers with the Charlotte-Mecklenburg Police Department arrived quickly to see the defendant on the porch with his wife. Handon initially was uncooperative with officers, but ultimately admitted to knowledge of the protective order. Upon a search of his person, officers located two box cutters in his pocket and waistband.

Jonatano Gutierrez, 33, was tried for 1) assault by strangulation and 2) assault on a female. The jury found him *guilty as charged*. Judge Knight sentenced him to 6-17 months in prison. That sentence was suspended pending the defendant's successful completion of 18 months of supervised probation. As a condition of the probation, Gutierrez must serve a split sentence of 30 days in jail.

Gutierrez and the survivor met on social media in 2020. They soon began a romantic relationship that ended by October of 2020. At that time, the defendant and survivor were still friends, and were considering getting back together. On October 17, 2020, they went on a date. The conversation soon turned to the topic of their relationship status and the defendant got upset. They ended their date early, and as they were driving back to his home, the defendant got angry. He reached over to the passenger seat where the survivor was sitting and strangled her with enough force to cause her to lose consciousness. When she woke up, the defendant was driving erratically, and drove them back to his residence where he continued to be violent. There, he pushed and pulled her and strangled her a second time to the point of unconsciousness. When the survivor woke up, she was able to grab her belongings, get into her car, and drive to the nearest gas station where she called 911.

Strangulation is one of the most lethal forms of domestic abuse, and research shows that it may be a significant predictor of future lethal violence. Strangulation is most commonly understood as an intentional act committed when a person externally applies pressure to the throat of another to restrict breathing or the circulation of blood. In our state, Assault by Strangulation (a Class H felony) carries a maximum punishment of 39 months in prison, but, depending on a person's criminal conviction history, such offenders can often be sentenced to a term of probation. Essentially, an offender who seeks to take someone's air and blood supply away could receive the same punishment demanded for breaking into a toolshed. Under current North Carolina law, the prohibition on strangulation does not specifically include acts of suffocation (means of breathing restriction other than pressure to the throat), as other states do, and NC law requires a display of physical injury, which often is not apparent for hours—and sometimes even days—after the offense. As awareness of the inherent dangerousness of strangulation increases, we are hopeful that policymakers will look to expand legal prohibitions on strangulation and enhance penalties for commission of these acts.

Note: For more information about the District Attorney's Office, visit www.charmeckda.com. For updates and other information, follow @CharMeckDA on [Facebook](#), [X](#), & [Instagram](#).

// End //