



State of North Carolina
General Court of Justice
Twenty-Sixth Prosecutorial District
MECKLENBURG COUNTY

SPENCER B. MERRIWEATHER III
DISTRICT ATTORNEY

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May 8, 2025

Special Agent in Charge Brandon Blackman
North Carolina State Bureau of Investigation
5994 Caldwell Park Dr.
Harrisburg, North Carolina 28075

Re: Colton Maxwell Floren Death Investigation

Dear SAC Blackman:

Pursuant to N.C.G.S. 7A-61, my office has reviewed the investigation surrounding the shooting death of Colton Maxwell Floren on January 11, 2025. The case was investigated under case number 2025-00131. The documentation considered for the purposes of this review was provided by the North Carolina State Bureau of Investigation in March 2025. The purpose of this review was to examine whether the actions of Pineville Police Officer Kyle McClure were unlawful in the incident leading to the death of Colton Floren.

These events occurred in the parking lot of Tavern 51, a restaurant located at 8700 Pineville-Matthews Road in Pineville, North Carolina. At approximately 3:38 PM, a customer at Tavern 51 called 911 to report that another customer, later identified as the decedent, Colton Maxwell Floren, had pulled a gun on him in the restaurant. The caller told the 911 operator that the decedent was in possession of three guns and had threatened to kill him. Additionally, the caller, who was outside of the establishment while speaking with 911, stated that the decedent exited the restaurant, got into or approached a vehicle, and that the decedent was currently pacing around the parking lot. The caller can then be heard pointing the decedent out to Officer McClure as Officer McClure arrived on scene.

Interior surveillance video obtained from Tavern 51 recorded the decedent getting out of his seat at the bar, approaching the eventual 911 caller, and having a short discussion before returning to his seat on the other side of the bar. The decedent and the caller appear to continue speaking to each other across the bar before the decedent got out of his seat, walked toward the 911 caller, and pulled what appeared to be a firearm from his pocket. [\[1\]](#). The 911 caller then stood up and exited the front door of the establishment while making the call to 911. The decedent, after having a discussion with other customers and an employee of the business, exited the same door of the establishment approximately 3 minutes and 15 seconds after the 911 caller.

Exterior surveillance video from a nearby business recorded the decedent exiting Tavern 51, then hiding a gun between a trashcan and a support pillar on the sidewalk. [2]. Moments later, Officer McClure drove past the decedent, stopped, and exited his patrol car. This same camera recorded the decedent, now standing in the parking lot, reaching into his pocket and dropping an item later determined to be a small black jewelry bag containing a clear plastic baggie with a crystalized substance inside. [3]. The decedent then began walking towards Officer McClure who was obscured from camera view by the support pillar. The remaining relevant events on this video are also obstructed by the same pillar.

Officer McClure's body-worn camera recorded his arrival on scene. As Officer McClure exited his patrol car, his body-worn camera captured the 911 caller pointing the decedent out to Officer McClure. Officer McClure exited his car, drew his firearm, and instructed the decedent numerous times to "stop," "show me your hands," and "turn around." As the decedent continued to walk toward Officer McClure, Officer McClure commanded the decedent to "stop" five times in succession while the decedent continued to walk steadily toward Officer McClure without slowing. Officer McClure then fired twice, striking the decedent. A second Pineville Police Department officer, Officer Soto, arrived just after Officer McClure and handcuffed the decedent. Officer McClure and others then rendered aid to the decedent until the Fire Department arrived.

Video recorded by Officer Soto's in-car camera shows the decedent raised his arms out to his sides and began walking toward Officer McClure. [4]. While walking, the decedent dropped his arms briefly [5] before raising them back up again. [6]. Officer McClure fired twice as the decedent continued walking steadily toward him.

The decedent's firearm, a Canik TP9SF 9mm handgun, was located where he placed it between the trashcan and pillar. [7] [8]. At no time prior to the shooting was Officer McClure informed that the decedent had discarded that firearm. A round count conducted on Officer McClure's service weapon confirmed Officer McClure fired two times. Additionally, the two spent shell casings were located near Officer McClure's car.

An autopsy conducted on the decedent determined he suffered two gunshot wounds. One entered the left chest. One entered the right chest. The cause of death was determined to be gunshot wounds of the chest.

As you know, this letter specifically does not address issues relating to tactics, or whether officers followed correct police procedures or Department Directives.

I personally responded to the scene of this incident and monitored the investigation along with another senior Assistant District Attorney (ADA). I reviewed the investigative file as provided by the SBI. Finally, consistent with the District Attorney's Office Officer-Involved Shooting Protocol, this case was presented to the District Attorney's Officer-Involved Shooting Review Team, which is comprised of the office's most experienced prosecutors.

A. The role of the District Attorney under North Carolina law

The District Attorney (DA) for the 26th Prosecutorial District is a state official and, as such, does not answer to town or county governments within the prosecutorial district. The District Attorney is the chief law enforcement official of the 26th Judicial District, the boundaries

of which are the same as the County of Mecklenburg. The District Attorney has no administrative authority or control over the personnel of the Pineville Police Department or other police agencies within the jurisdiction. That authority and control resides with each town or county government.

Pursuant to North Carolina statute, one of the District Attorney's obligations is to advise law enforcement agencies within the prosecutorial district. The DA does not arrest people or charge people with crimes. When the police charge a person with a crime, the DA decides whether or not to prosecute the charged crime. Generally, the DA does not review police decisions not to charge an individual with a crime. However, in officer-involved shooting cases, the DA reviews the complete investigative file of the investigating agency. The DA then decides whether he agrees or disagrees with the charging decision made by the investigating agency. If the DA concludes that uncharged conduct should be prosecuted, the case will be submitted to a Grand Jury.

If no criminal charges are filed, that does not mean the District Attorney's Office believes the matter was in all respects handled appropriately from an administrative or tactical viewpoint. It is simply a determination that there is not a reasonable likelihood of proving criminal charges beyond a reasonable doubt unanimously to a jury. This is the limit of the DA's statutory authority in these matters. The fact that a shooting may be controversial does not mean that criminal prosecution is warranted. Even if the District Attorney believes a shooting was avoidable or an officer did not follow expected procedures or norms, this does not necessarily amount to a violation of criminal law. In these circumstances, remedies (if any are appropriate) may be pursued by administrative or civil means. The District Attorney has no administrative or civil authority in these matters. Those remedies are primarily in the purview of city and county governments, police departments, and private civil attorneys.

B. Legal standards

The law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This core legal principle is referred to as the right to "self-defense." A police officer does not lose the right to self-defense by virtue of becoming a police officer. Officers are entitled to the same protections of the law as every other individual. An imminent threat to the life of a police officer or others entitles the officer to respond in such a way as to stop that threat.

Under North Carolina law, the burden of proof is on the State to prove beyond a reasonable doubt that a defendant did not act in defense of himself or others. N.C.G.S. §14-51.3 provides that a person is justified in the use of deadly force and does not have a duty to retreat in any place he or she has the lawful right to be if he or she reasonably believes that such force is necessary to prevent imminent death or great bodily harm to himself or herself or another.

C. Use of deadly force by a law enforcement officer

The same legal standards apply to law enforcement officers and private citizens alike. However, officers fulfilling their sworn duty to enforce the laws of this State are often placed in situations in which they are required to confront rather than avoid potentially dangerous people and situations.

The United States Supreme Court stated, “[t]he ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” Graham v. Connor, 490 U.S. 386, 396 (1989). The Court further explained that “[t]he calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation.” Id. at 396–97. Moreover, the analysis “requires careful attention to the facts and circumstances of each particular case,” including “whether the suspect poses an immediate threat to the safety of the officers or others,” as well as “the severity of the crime at issue” and whether the suspect “is actively resisting arrest or attempting to evade arrest by flight.” Id. at 396.

The Fourth Circuit Court of Appeals has consistently held that “an officer does not have to wait until a gun is pointed at the officer before the officer is entitled to take action.” Anderson v. Russell, 247 F.3d 125, 131 (2001). Further, in comparing a case where an officer did not give commands prior to the use of deadly force to cases where commands were given and ignored, the Court stated:

[O]nce the officer issued a verbal command, the character of the situation transformed. If an officer directs a suspect to stop, to show his hands or the like, the suspect's continued movement likely will raise in the officer's mind objectively grave and serious suspicions about the suspect's intentions. Even when those intentions turn out to be harmless in fact, ...the officer can reasonably expect the worst at the split-second when he acts.

Hensley v. Price, 876 F.3d 573, 585 (4th Cir. 2017).

A situation in which an officer is confronting an armed person with uncertain motives is, by definition, dangerous, and such a circumstance will almost always be tense, uncertain, and rapidly evolving. In these circumstances, we are not deciding whether the officer’s belief in the need to use deadly force was correct but only whether his belief in the necessity of such force was reasonable.

In conducting a legal analysis, this office must take its guidance from the law, and a decision must not be based upon public sentiment or outcry. The obligation of a District Attorney is clear; he must simply apply the law to the known facts.

What the law demands is an evaluation of the reasonableness of the officer’s decision at the moment he fired the shot. The Supreme Court of the United States has provided guidance on what is objectively reasonable and how such an analysis should be conducted. That guidance indicates that it is inappropriate to employ “the 20/20 vision of hindsight,” and an analysis must make “allowance for the fact that police officers are often forced to make split-second judgments.” See Graham v. Connor, 490 U.S. at 396. The Court suggests that when reviewing use of force cases, caution should be used to avoid analysis “more reflective of the ‘peace of a judge’s chambers’ than of a dangerous and threatening situation on the street.” Elliot v. Leavitt, 99 F.3d. 640, 643 (4th Cir. 1996).

D. The officer-involved shooting of Colton Maxwell Floren

Officer Kyle McClure

Officer Kyle McClure was interviewed by SBI agents on January 28, 2025, at the CMPD Law Enforcement Center in Charlotte, North Carolina. Officer McClure has been employed with the Pineville Police Department since 2021. Prior to his employment with the Pineville Police Department, he was employed by G4S Special Police. Additionally, he was a member of the North Carolina National Guard from February 2017 until his honorable discharge in 2023. He was assigned as a cannon crew member and was deployed to Kuwait and Bahrain during the COVID pandemic.

On January 11, 2025, Officer McClure was assigned to patrol duties. He was in uniform and was easily identifiable as a police officer. Upon hearing the call from the 911 dispatcher, Officer McClure stated he activated his lights and siren and drove to the scene. Officer McClure stated that dispatchers have a subtle way of communicating the urgency of a call. He stated the dispatcher normally announces an officer's call sign and asks if the officer is available before assigning them to the call. In this case, the dispatcher asked, "Can I get units started toward Tavern 51..." Since the dispatcher does not normally use that language, it communicated an urgency to the call.

Officer McClure recalled that the dispatcher advised that an armed subject was intoxicated and made threats with a gun. Officer McClure advised that while he was on the way to the scene, the dispatcher advised that the subject had two additional handguns and was traveling in and out of the restaurant and possibly to a vehicle. Based on this information, Officer McClure believed the subject was possibly in possession of three firearms. Officer McClure recalled that it took him approximately two minutes to arrive at Tavern 51 where a panicked individual pointed at the decedent, who matched the description of the armed subject. Officer McClure stated that he had never had any prior dealings with the decedent.

Officer McClure's recollection was that he exited his car and told the decedent to "freeze" or "stop." The decedent replied, "What?" Officer McClure stated he told the decedent, "Don't move. Stop." Officer McClure recounted that the decedent then put his right hand into his pocket, retrieved something, and threw it behind his back. Officer McClure did not know what this item was. Officer McClure's recollection was that he commanded the decedent to put his hands in the air and the decedent complied but began to talk toward Officer McClure while smiling. Officer McClure recalled that the decedent said, "I didn't do nothing, I don't have nothing." Officer McClure advised that the decedent then walked quickly toward Officer McClure who commanded the decedent to stop multiple times. Officer McClure stated that the decedent came within two to three steps of him. Officer McClure advised that he commanded the decedent to "stop" in a louder and more aggressive tone, but the decedent did not stop. Officer McClure then fired his service weapon twice. The decedent stumbled back and fell to the ground. Officer McClure recalled that "time froze" for him and recalled that Officer Soto placed handcuffs on the decedent, and they rendered medical aid until the Fire Department arrived.

Officer McClure stated he fired twice because the call for service stated that the decedent had pointed a handgun at someone, and the dispatcher relayed the decedent had up to three handguns on his person. The decedent matched the description of the subject, and a panicked civilian was pointing at the decedent as Officer McClure arrived on scene saying, "That's him, that's him!" Officer McClure stated that he pointed his weapon at the decedent and the decedent

defied numerous clear commands. Officer McClure recounted that, “He put his hands in his pockets, threw something on the ground, then put his hands in the air and walked toward me.” Officer McClure advised that walking toward an officer while at gunpoint is not normal behavior and that the average person does not walk toward someone when they have a gun pointed at them, especially if that person is a police officer.

Officer McClure noted that he was by himself, and he said he knew that there was at least one gun but did not know where it was. Officer McClure believed that if he holstered his weapon so he could go “hands on” with the decedent, the decedent would have had an opportunity to retrieve a gun from his pockets. Officer McClure believed that the time it would take for the decedent to reach into his pocket and retrieve a firearm would be quick. Considering those circumstances, Officer McClure did not believe it was safe for him to holster his weapon. Officer McClure stated that he had to make a decision, and he believed that if he did not fire his weapon, the decedent was going to take his gun and assault him or others. Officer McClure did not believe he had any other reasonable choice.

Officer Felix Soto

Officer Felix Soto was interviewed by SBI agents on January 11, 2025, at the Pineville Police Department. Officer Soto has been employed with the Pineville Police Department for approximately two years. Officer Soto recalled that on the afternoon of January 11, 2025, all police units were dispatched to respond in reference to the decedent waiving a gun in Tavern 51. Officer Soto stated that when he arrived at the scene, he saw that Officer McClure was standing with the decedent at gunpoint giving the decedent verbal commands to stop and put his hands up. Officer Soto estimated that he was still 50 feet from Officer McClure and the decedent’s back was to Officer Soto at this time. Officer Soto recalled that the decedent was talking toward Officer McClure, raising his hands up, before returning his hands down near his pants or jacket. Officer Soto stated he was adjusting his position so he could also aim his service weapon at the decedent, when Officer McClure fired two rounds, striking the decedent. Officer Soto estimated that the decedent was approximately five feet from Officer McClure when Officer McClure fired his weapon. Officer Soto stated he drew his firearm during the encounter but did not fire.

Officer Soto recalled that after the shooting he told Officer McClure to holster his weapon, but he did not know whether Officer McClure holstered his weapon or remained at “low ready.” Officer Soto advised that he holstered his weapon, handcuffed the decedent, and began rendering medical aid. Officer Soto described that while attempting to provide medical aid to the decedent, an unknown male attempted to intervene and failed to comply with verbal commands, so Pineville Police detained that individual. After providing medical aid to the decedent, Officer Soto began canvassing the area and located the decedent’s firearm behind the trash can.

911 caller¹

¹ Witnesses who did not identify themselves publicly in media interviews or otherwise are not identified by name in this document. To name those who did not publicly identify themselves could have a chilling effect on witness cooperation in other cases.

The 911 caller was interviewed on January 11, 2025, by SBI Agents at the Pineville Police Department. The 911 caller stated that at approximately 3:20 PM, a white male he had never seen before, later determined to be the decedent, approached him at the bar and asked him, "What hood are you from?" The caller advised he did not know how to respond to this question. The caller recalled that the decedent offered to buy him a drink, but the caller declined. He stated the decedent felt disrespected by his declination, and the decedent pulled a handgun while saying, as the caller remembered, "He didn't take disrespect." The caller stated he tried to deescalate the situation, then decided to go outside the restaurant and call 911. The caller stated he called 911 at approximately 3:49 PM and informed the operator that the decedent had pulled a gun on him and threatened him. While the caller was on the phone with the 911 operator, the decedent exited the bar. The caller stated that the police arrived in full uniform approximately ten minutes after he made the call to 911. The caller recounted that as soon as the officer arrived, the decedent rushed him and refused to obey the officer's commands. The caller estimated that the police officer gave seven to eight commands. The caller's recollection was that the decedent's hands were in his waistband while rushing toward the officer. The caller stated that the officer fired his handgun one or two times when the decedent was approximately five to ten feet away. The caller stated he was approximately ten yards away at the time of the shooting.

The caller told SBI agents that he believed the decedent was getting ready to pull a firearm out of his waistband. The caller was adamant that Officer McClure did an exceptional job and noted that if he had been in Officer McClure's position, he would have fired earlier than Officer McClure did.

E. 911 Call

The recorded 911 call shows the caller informed dispatch that he needed police as soon as possible because "This **** is fixing to shoot the place up." The caller described the decedent and informed the 911 operator that the decedent was in possession of three guns and pulled one while threatening to kill him. The caller described the gun the decedent pulled on him as a 9mm handgun. The caller then informed the 911 operator that the decedent had exited the restaurant and entered a vehicle before finally reporting to the operator that the decedent was now walking around outside the restaurant "going crazy." The caller can be heard pointing the decedent out to Officer McClure as he arrived on scene, followed by two gunshots in the background shortly thereafter.

F. Radio Traffic

A recording of the radio traffic for the call for service was obtained by the SBI as part of their investigation. The recording confirms that the dispatcher informed officers, including Officer McClure, that the 911 caller indicated that the subject was "threatening to shoot up the place," and "that he had three guns on him, one of which was pulled out on the caller." The dispatcher was under the impression that the caller was the bartender and not a customer. The dispatcher relayed a description of the decedent and reiterated that the decedent had one 9mm on him and possibly two more. The dispatcher relayed that the caller said that the decedent was mad because he was not allowed to buy the caller a drink, which is when the decedent pulled a gun on the caller. The dispatcher then

relayed that the caller said the decedent is outside the restaurant at this time and that he possibly got into a vehicle, but the dispatcher noted they were having difficulties getting more information from the caller. After a request from officers for a description of the vehicle the decedent got into, the dispatcher informed officers that the caller was now saying the decedent was not in a vehicle and was instead walking around outside. Officer McClure then reported that he arrived on scene followed by a report shortly thereafter that shots had been fired.

G. Video evidence

Interior surveillance obtained from inside Tavern 51 recorded the interaction between the decedent and the 911 caller as well as the decedent pulling what appeared to be a firearm from his pocket.

Exterior surveillance video from a nearby business recorded the decedent exiting Tavern 51 and hiding a gun between a trashcan and a support pillar where it was later located by Officer Soto. This video also recorded the decedent reaching into his pocket after being confronted by Officer McClure and removing, then dropping, the small black jewelry bag containing a clear plastic baggie with a crystalized substance inside.

Officer McClure's body-worn camera recorded his arrival on scene as well as the 911 caller pointing out the decedent to Officer McClure. The video shows that Officer McClure exited his car, drew his firearm, and instructed the decedent numerous times to "stop," "show me your hands," and "turn around." As the decedent continued to walk toward Officer McClure, Officer McClure commanded the decedent to "stop" five times in succession while the decedent continued to walk steadily toward Officer McClure without slowing. The decedent's head and facial expression were obstructed on Officer McClure's body-worn camera. Officer McClure then fired twice, striking the decedent. Officer McClure's body-worn camera also recorded Officer Soto handcuffing the decedent followed by Officer McClure and others providing aid until the Fire Department arrived.

Video recorded by Officer Soto's in-car camera shows the decedent raised his arms out to his sides and began walking toward Officer McClure. While walking, the decedent dropped his arms briefly before raising them back up again. The video recorded Officer McClure fire twice as the decedent continued walking steadily toward him.

H. Physical evidence

The decedent's loaded Century Arms Canik TP9SF 9mm semiautomatic handgun was found outside Tavern 51 between the trash can and support pillar where the decedent was recorded placing it. No additional firearms were located.

Two discharged Speer 9mm Luger cartridge cases were located near Officer McClure's patrol car.

I. Autopsy report

The Mecklenburg County Medical Examiner's Office performed an autopsy on January 13, 2025. The autopsy determined that the decedent suffered two gunshot wounds, one to the left

chest and one to the right chest. The decedent also had small abrasions at the left head and face as well as contusions at the bilateral lower extremities. The Medical Examiner determined the cause of death to be gunshot wounds of the chest.

Toxicology analysis performed on the decedent's blood revealed the presence of methamphetamine, cocaine and cocaine metabolites, THC and THC metabolites, as well as an ethanol level of 110 mg/DL.

J. Conclusion

It is undisputed that Officer McClure fired twice at the decedent. The central issue in this review is whether Officer McClure was justified under North Carolina law in using deadly force in the protection of himself or others. A police officer – or any other person – is justified in using deadly force if they, in fact, believed that themselves or another person was in imminent danger of great bodily harm or death from the actions of the person who was shot, and if their belief was reasonable.

Graham v. Connor directs consideration of the following factors: (1) "whether the suspect posed an immediate threat to the safety of the officers or others," as well as (2) "the severity of the crime at issue" and (3) whether the suspect "is actively resisting arrest or attempting to evade arrest by flight." Graham v. Connor, 490 U.S. 386, 396 (1989).

The evidence is that the decedent was in possession of a firearm in a restaurant and brandished that firearm during an altercation with another patron. That patron then called 911. Prior to his arrival on scene, Officer McClure was informed that the decedent had threatened to shoot up the restaurant and had up to three guns on his person. Officer McClure did not know---and had no way of knowing---that the decedent had hidden his gun behind a nearby trashcan before Officer McClure encountered the decedent in the parking lot. As such, Officer McClure was responding to a call indicating an immediate threat of high severity to the safety of the officer and others. When he exited his patrol vehicle, Officer McClure saw the presumed 911 caller—a matter of yards away from the decedent—motion toward the decedent, indicating that he was the armed subject who warranted the emergency call. Upon engaging the decedent, Officer McClure gave the decedent numerous clear commands to stop which were ignored by the decedent who continued to walk steadily toward Officer McClure while at gunpoint. Although the decedent did raise his hands as commanded, he subsequently lowered them before raising them back up again. As stated in Hensley:

...[I]f an officer directs a suspect to stop, to show his hands or the like, the suspect's continued movement likely will raise in the officer's mind objectively grave and serious suspicions about the suspect's intentions. Even when those intentions turn out to be harmless in fact, ...the officer can reasonably expect the worst at the split-second when he acts.

Hensley v. Price, 876 F.3d 573, 585 (4th Cir. 2017).

Officer McClure believed the decedent to be in possession of a weapon and, given the quickly closing distance between himself and the decedent, did not believe it safe to holster his weapon and subdue the decedent in light of the brief amount of time it would take for the decedent to draw one of the firearms Officer McClure reasonably believed the decedent to possess.

The available evidence in this case leaves the State wholly unlikely to prove to a jury beyond a reasonable doubt that Officer McClure did not act in defense of himself or others. A jury could certainly find that Officer McClure reasonably believed an armed subject was approaching him at gunpoint with uncertain intentions in defiance of clear commands to stop. Similarly, a jury could reasonably determine that it would be illogical to expect Officer McClure to holster his weapon to attempt to subdue the decedent and risk the decedent drawing and firing one of the firearms Officer McClure reasonably—even if erroneously---believed the decedent had in his possession. Accordingly, the State could not viably meet its evidentiary burden at a potential trial and will not pursue criminal charges related to the death of Colton Maxwell Floren.

If you have any questions, please contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Spencer B. Merriweather III". The signature is written in a cursive, flowing style.

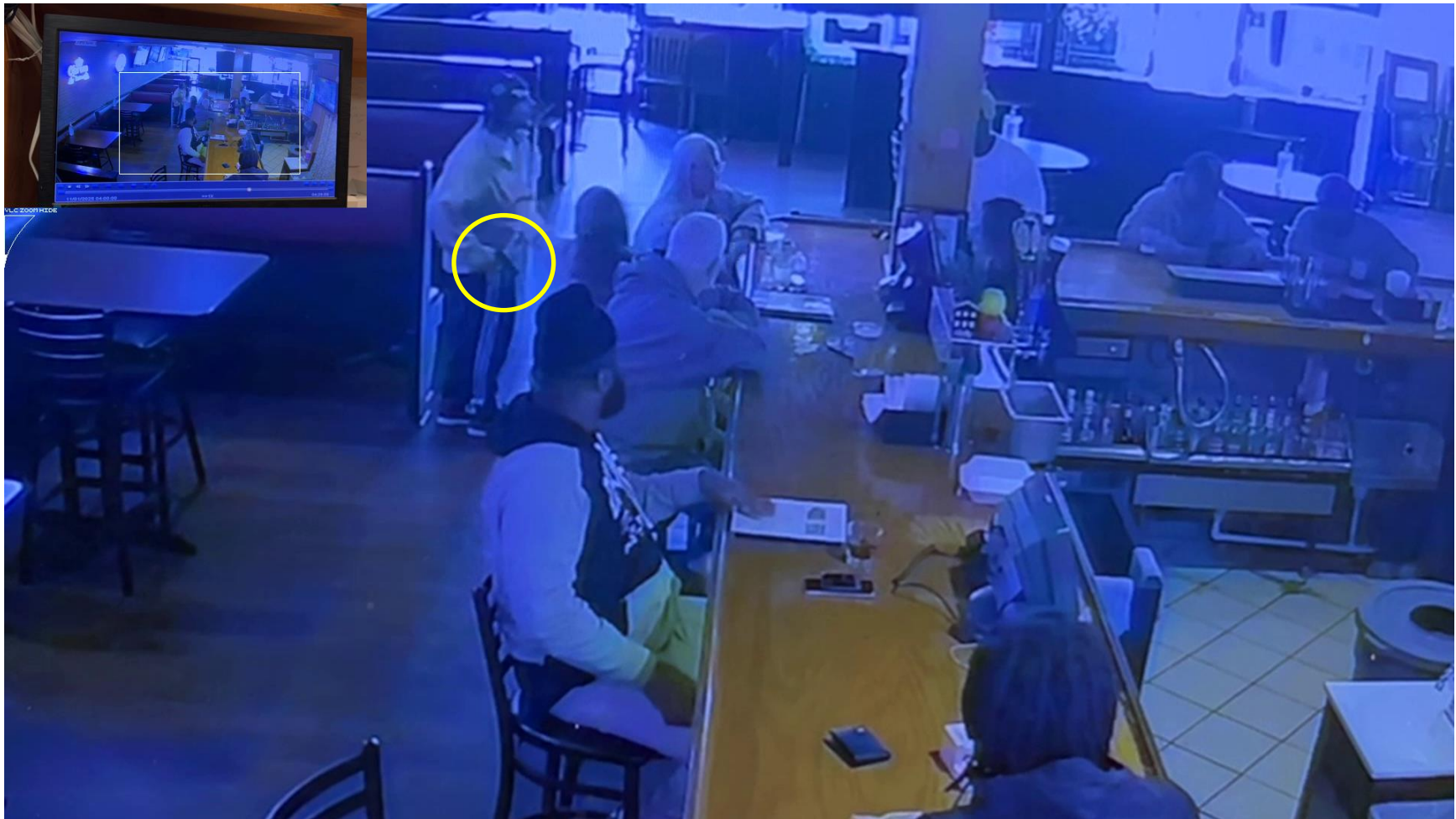
Spencer B. Merriweather III
District Attorney

CC: Chief Michael Hudgins, Pineville Police Department

Exhibits:

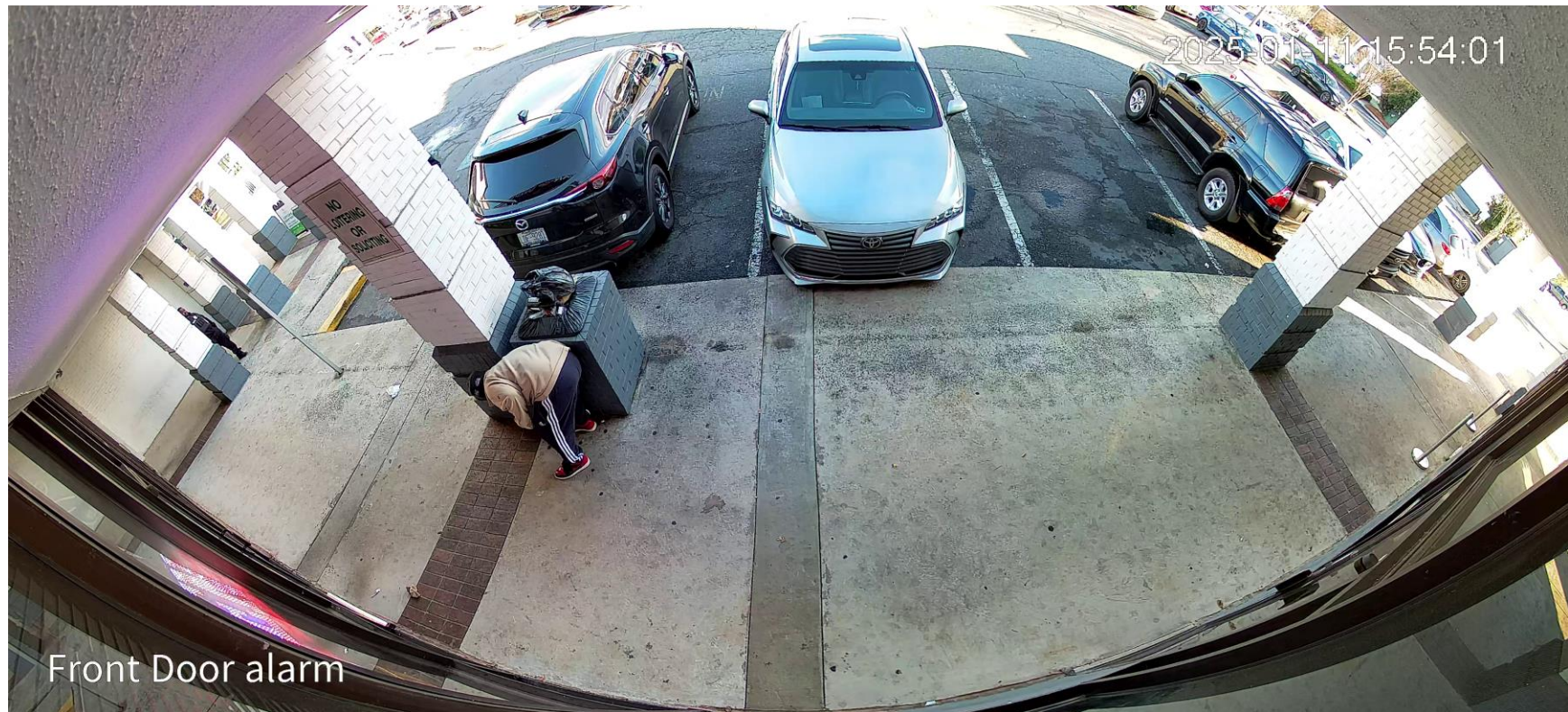
The decedent brandishes his firearm inside Tavern 51.

[Return](#)



The decedent places a firearm between the trash can and support pillar.

[Return](#)



The decedent reached into his pocket, pulled out a small baggie, and drop it behind his back.

[Return](#)



The decedent raised his arms and began walking toward Officer McClure.

[Return](#)



The decedent briefly lowered his arms while continuing to walk toward Officer McClure.

[Return](#)



The decedent raised his arms again while continuing to walk to Officer McClure.

[Return](#)



The decedent's firearm was located between the trashcan and pillar where he was recorded hiding it.

[Return](#)



The Century Arms, Canik TP9SF 9mm firearm hidden between the trashcan and pillar by the decedent prior to Officer McClure's arrival. [Return](#)



Mecklenburg County Medical Examiners' Office



3440 Reno Avenue, Charlotte, NC 28216
Telephone 704-336-2005
Fax 704-336-8353

REPORT OF AUTOPSY EXAMINATION

DECEDENT

Document Identifier: B25-0065
Name: Colton Floren
Age: 24
Race: White
Sex: Male

AUTHORIZATION

Authorized By Jonathan Privette, MD. Received From Mecklenburg County

IDENTIFICATION

Body Identified By Papers

ENVIRONMENT

Date of Exam: 1/13/25 Time of Exam: 1300
Persons Present: Linnelle Banks

CERTIFICATION

Cause of Death: GUNSHOT WOUNDS OF THE CHEST

Manner of Death: HOMICIDE

Pathologist Jonathan Privette, MD
Date Finalized: March 24, 2025

SUMMARY AND INTERPRETATION

The decedent is a 24-year-old male who was shot.

Autopsy examination reveals gunshot wounds of the chest and blunt-force injuries.

Please see separate report for toxicology details.

Based on the history and autopsy findings, it is my opinion that the cause of death in this case is gunshot wounds of the chest.

DIAGNOSES

- Gunshot wounds of the chest
- Blunt-force injuries

EXTERNAL DESCRIPTION

Length: 71 inches

Weight: 159 pounds

Body Condition: Intact

Rigor: 2+

Livor: Posterior

Hair: Brown

Eyes: Eye caps are present.

Teeth: Natural

Body Development: Normal

Body Nourishment: Normal

Clothing: Two shirts received in a bag, socks

Accompanies the body: A watch, two rubber bands

Identifying Marks: Tattoos as diagrammed

Medical Intervention: ECG leads, airway, chest tube incisions, decompression tubes, pulse oximeter.

There are roughly sutured incisions at the bilateral lower extremities due to postmortem tissue harvest. There are punctures at the bilateral neck due to postmortem blood draw.

INJURIES

The following gunshot wounds are lettered for convenience of description. The lettering is not intended to indicate the order of which the injuries occurred. The body is received with bags covering the bilateral hands.

GUNSHOT WOUND A

Entrance location: Anterior, left chest

Inches below the apex: 15-1/2 inches

Inches R/L of midline: 2 inches left of anterior midline

Wound characteristics: The entrance gunshot wound measures 1/4-inch and exhibits 1/2-inch circumferential marginal abrasion. Soot and/or stippling are not grossly identified in association with this injury.

Injuries: The wound track lacerates the skin and soft tissue of the anterior, left chest, enters the left pleural cavity between left ribs #2 and 3, lacerates the upper and lower lung lobes of the left lung, fractures left rib #6, lacerates the soft tissue and skin of the posterior, left chest. Associated injuries include left hemothorax.

Bullet retained: No

Exit wound location: Posterior, left chest

Inches below the apex: 14-1/2 inches

Inches R/L of midline: 3-1/2 inches left of posterior midline

Wound characteristics: The exit gunshot wound measures 1/2-inch and exhibits irregular borders.

Trajectory in the anatomical position: Front to back, slightly upward, slightly right to left.

GUNSHOT WOUND B

Entrance location: Anterior, right chest

Inches below the apex: 13 inches

Inches R/L of midline: 2-1/2 inches right of anterior midline

Wound characteristics: The entrance gunshot wound measures 1/4-inch and exhibits 5/8-inch marginal abrasion. Soot and/or stippling are not grossly identified in association with this injury.

Injuries: The wound track lacerates the skin and soft tissue of the anterior, right chest, fractures right ribs #1 and 2, lacerates the right upper lung lobe, fractures right rib #3, terminates its course in the soft tissue of the posterior, right chest from where a partially deformed projectile is recovered.

Bullet retained: Yes

Projectile wound location: Posterior, right chest

Inches below the apex: 11-1/2 inches

Inches R/L of midline: 4-1/2 inches right of posterior midline

Wound characteristics: The projectile is palpable subjacent to the skin. There is associated 1-inch ecchymosis.

Trajectory in the anatomical position: Front to back, slightly upward, slightly left to right.

BLUNT-FORCE INJURIES

There are small abrasions at the left head and face. There are contusions at the bilateral lower extremities. There is abrasion at the left elbow.

INTERNAL EXAMINATION

Body Cavities

Organ positions: Normal

Abnormal fluid collections: See Injuries

Adhesions: None

Cardiovascular System

Heart Weight: 320 grams

Pericardium: Normal

Coronary arteries: Normal

Chamber and valves: Normal

Myocardium: Normal

Aorta and major branches: Normal

Respiratory System

Right Lung Weight: 300 grams

Left Lung Weight: 220 grams

Soft tissues: Normal

Hyoid bone and laryngeal cartilages: Normal

Obstructions: None

Lung parenchyma: See Injuries

Pulmonary arteries: Unobstructed

Gastrointestinal System

Grossly unremarkable

Liver

Liver Weight: 1540 grams

Grossly unremarkable

Spleen

Spleen Weight: 100 grams

Grossly unremarkable

Pancreas

Grossly unremarkable

Urinary

Right Kidney Weight: 130 grams

Left Kidney Weight: 130 grams

Grossly unremarkable

Reproductive

Grossly unremarkable

Endocrine

Thyroid gland: Normal

Adrenal glands: Normal

Neurologic

Brain Weight: 1470 grams

Scalp: Normal
Skull: Normal
Vasculature: Normal
Leptomeninges: Normal
Brain: Normal
Immunologic System
Grossly unremarkable
Musculoskeletal System
See Injuries

MICROSCOPIC EXAMINATION

Sections submitted: None
Findings:

SPECIAL PROCEDURES

Radiographs reveal a projectile at the chest.

DISPOSITION OF PERSONAL EFFECTS AND EVIDENCE

The following items are released with the body:
None

The following items are preserved as evidence:
Clothing
Blood stain card
Fingernail swabs
Projectile
Watch
Rubber bands
Postmortem fingerprints

END OF REPORT

JP/km

DID#: 40385544

State of North Carolina

Office of the Chief Medical Examiner

Chapel Hill, North Carolina 27599-7580

Name of Decedent:

Autopsy #

Examined By:

Colton Flores

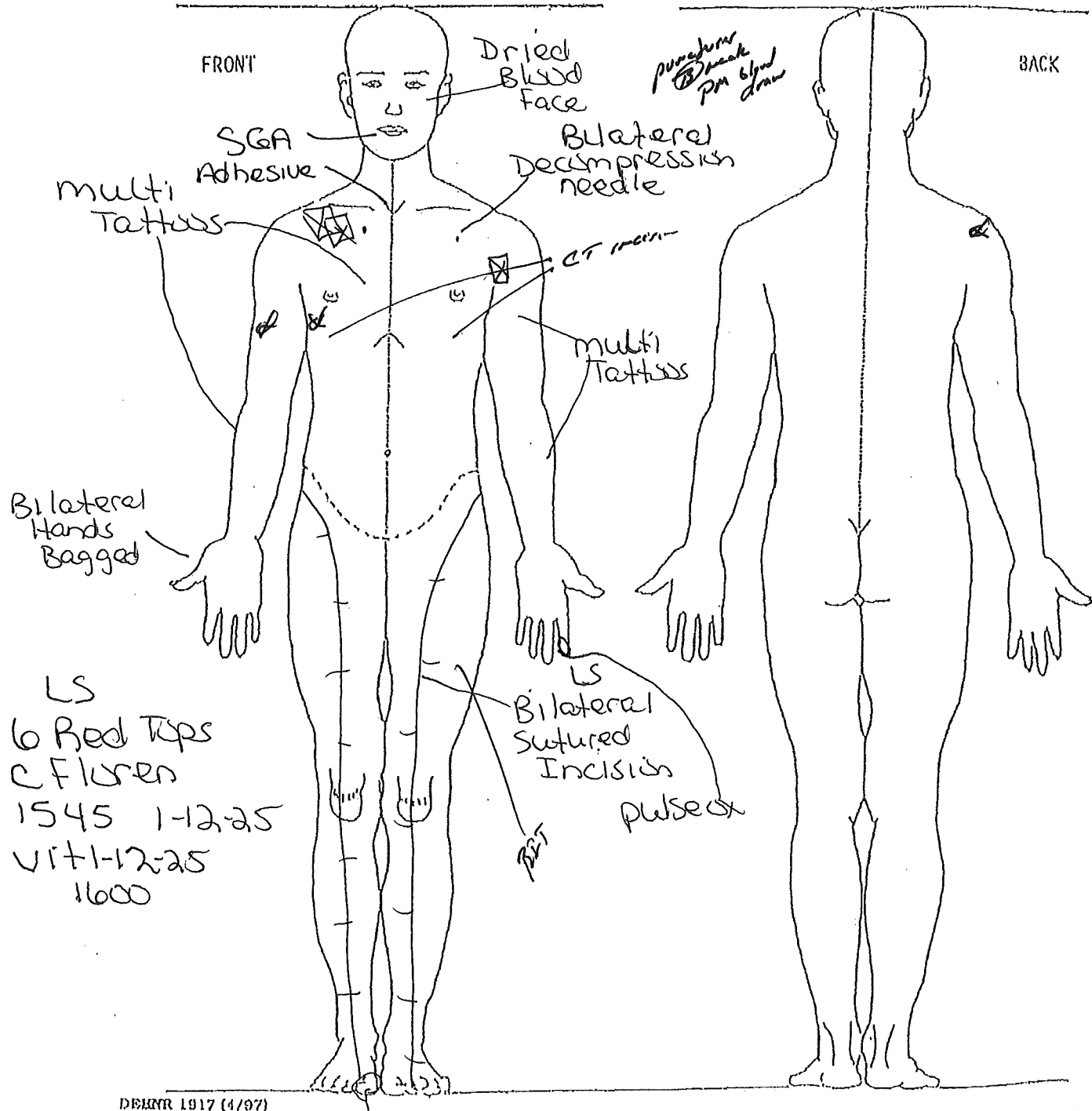
B25-65

JDP

Date: 1-13-25



BODY DIAGRAM: ADULT (Front/Back)



DEMR 1917 (4/97)
Medical Examiner

Dakota
Trauma

This form may be photocopied.

State of North Carolina

Name of Decedent: _____



Office of the Chief Medical Examiner

Autopsy #

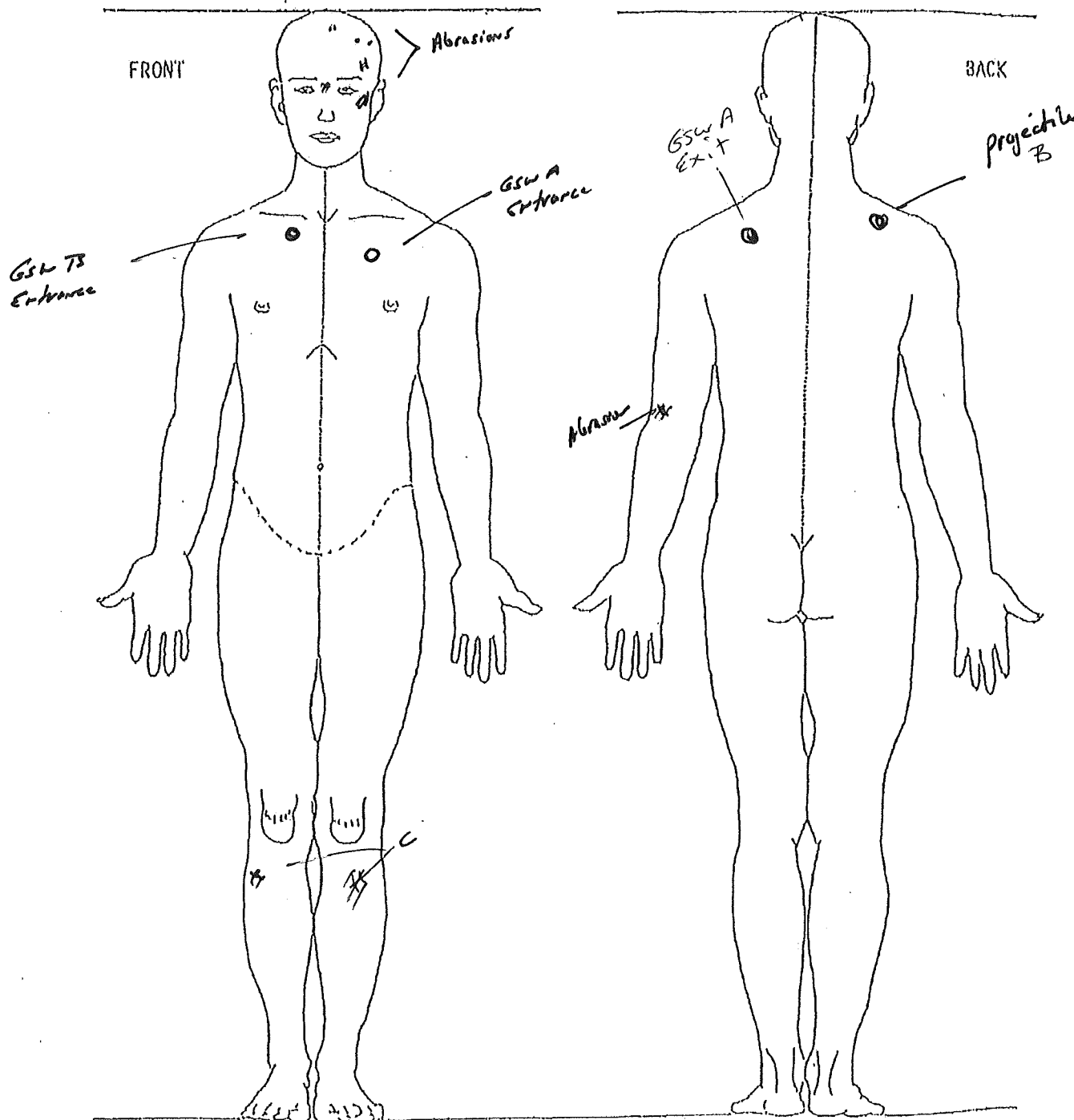
325-65

Chapel Hill, North Carolina 27599-7580

Examined By: [Signature]

Date: 1-17-25

BODY DIAGRAM: ADULT (Front/Back)



DEHNR 1917 (4/97)
Medical Examiner

This form may be photocopied.

Bunting, William C.

Subject:

FW: No Reply: OCME Toxicology F202500060

From: noreply@dhhs.nc.gov

Date: March 25, 2025 at 3:30:34 PM EDT

Subject: No Reply: OCME Toxicology F202500060

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

TOXICOLOGY REPORT

Office of the Chief Medical Examiner Toxicology Folder: T202500682

Raleigh, NC 27699-3025

Case Folder: F202500060

Date of Report: 10-feb-2025

DOD: 11-jan-2025

Page: 1

Spencer Merriweather

District Attorney's Office 26

700 E Trade Street

Charlotte, NC 28202

DECEDENT: Colton Maxwell Floren

Status of Report: Approved

Report Electronically Approved By: Laura Friederich, D-ABFT-FT

* * *

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SPECIMENS received from Jonathan Privette on 16-jan-2025

S250002014: 20.0 ml Blood

CONDITION: Postmortem

SOURCE: Aorta

OBTAINED: 13-jan-2025

**** Comments Concerning This Specimen ****

Unless otherwise noted, all testing on this specimen was performed by NMS Labs. The Test Panel includes abused and therapeutic drugs, some of which are not tested at OCME(THC, LSD) but the results must be reported. Other drugs may appear due to add-on testing directed by OCME. Contact the lab for a full list.

**** End of Comments Concerning This Specimen ****

11-Hydroxy-THC -----	1.0 ng/mL	02/10/2025
Benzoylecgonine -----	2.4 mg/L	02/10/2025
Cocaethylene -----	0.015 mg/L	02/10/2025
Cocaine -----	0.033 mg/L	02/10/2025
Delta-9 Carboxy THC -----	48 ng/mL	02/10/2025
Delta-9-THC -----	5.1 ng/mL	02/10/2025
Ethanol -----	110 mg/dL	02/10/2025

**** Comments Concerning This Result ****

Analysis was performed by OCME.

**** End of Comments Concerning This Result ****

Methamphetamine -----	0.010 mg/L	02/10/2025
Other Organic Acids/Neutrals	None Detected	02/10/2025
Other Organic Bases -----	None Detected	02/10/2025

TOXICOLOGY REPORT

Office of the Chief Medical Examiner Toxicology Folder: T202500682
Raleigh, NC 27699-3025 Case Folder: F202500060

Date of Report: 10-feb-2025

DOD: 11-jan-2025

Page: 2

Decedent: Colton Maxwell Floren

* * *

SPECIMENS received from Jonathan Privette on 16-jan-2025 (Continued)

S250002015: 5.0 ml Vitreous Humor CONDITION: Postmortem
SOURCE: Eye OBTAINED: 12-jan-2025

**** Comments Concerning This Specimen ****

Specimen collected by LifeShare Of The Carolinas.

**** End of Comments Concerning This Specimen ****

Ethanol -----	90 mg/dL	02/10/2025
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S250002016: Plastic Bag CONDITION:
SOURCE: Other OBTAINED:

** Comments Concerning This Specimen **

Specimen collected by LifeShare Of The Carolinas.

Plastic bag containing six test tubes of blood.

** End of Comments Concerning This Specimen **

Accredited by the College of American Pathologists,
Laboratory Accreditation Program.

032525 15:30 * * * END OF REPORT * * * B202500065