

District Attorney's
Office
State of North Carolina
26th Prosecutorial District
Mecklenburg County

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NEWS RELEASE

Spencer B. Merriweather
III
District Attorney

January 5, 2026

Upon Receiving Removal Petition, DA Requests SBI Investigation of Allegations

From Mecklenburg County District Attorney Spencer Merriweather:

“On the evening of Sunday, January 4th, I was made aware of the intention of five qualified Mecklenburg County electors to submit a petition for the Removal of Mecklenburg County Sheriff Garry McFadden on a number of grounds, pursuant to North Carolina General Statutes § 128-16. The qualified filing of a removal petition is a serious matter, requiring an approval determination from either the District Attorney or the County Attorney in order for the petition to proceed. District Attorneys have only rarely granted the approval of such a petition, with the understanding that election of a community’s official is a binding choice of the public, which should only be superseded under the most grave circumstances. The most fundamentally sound method for removal of public officers is popular election by ballot, where the people of a given jurisdiction are themselves the final arbiter of the fitness of those who wish to serve them. For decades, other prosecutorial authorities---both state and federal---have developed policies restricting the advancement of any prosecution of public officers within close proximity of them standing for election.

“Nevertheless, our removal statute creates obligations for the District Attorney (or the County Attorney, if he so chooses) to exercise due diligence in the wake of such a petition. In this Office, a substantive review of any allegations will typically come only after a state or local law enforcement agency has had an opportunity to investigate any reported claims. Accordingly, before an approval determination comes from this Office, I will, in my discretion, request that the North Carolina State Bureau of Investigation (NCSBI) investigate each allegation and report its findings to my office directly. **As with any inquiry, a request for an investigation is not itself a confirmation of the existence of wrongdoing. During the duration of this investigation, in strict adherence to the NC Rules of Professional Conduct, neither I nor any member of my office will offer any further comment on this matter.**”

**Letter from DA Merriweather Requesting an SBI Investigation is attached below.*

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

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DISTRICT ATTORNEY

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January 5, 2026

Mr. Brandon Blackman
Special Agent in Charge
State Bureau of Investigation
Department of Justice
5994 Caldwell Park Drive
Harrisburg, NC 28075

Re: Allegations Involving Mecklenburg County Sheriff Garry McFadden

Dear SAC Blackman:

In my discretion, pursuant to N.C.G.S. § 114-14, I am asking the North Carolina State Bureau of Investigation (NCSBI) to initiate an investigation into allegations referenced in an attached Petition for the Removal of Mecklenburg County Sheriff Garry McFadden. The Petitioners allege that specific events demonstrate that Sheriff McFadden should be removed from office on the following grounds, under N.C.G.S. § 128-16:

- 1) For willful or habitual neglect or refusal to perform the duties of his office;
- 2) For willful misconduct or maladministration in office;
- 3) For corruption; and
- 4) For extortion.

In your review of the Petition, you will note that a number of criminal violations are alleged, which I am requesting to be investigated as well, including the following:

- 1) State Campaign Finance Violations (use of official resources and labor in furtherance of political campaign);
- 2) Hatch Act Violations, 5 U.S.C. § 1502(a)(2);
- 3) Extortion, N.C.G.S. § 14-118.4; and
- 4) Bribery, Economic Threats Made to Influence Legislation, N.C.G.S. § 120-86.

Finally, in the event it impacts where the investigation may be assigned, I wanted you to be aware one of the Petitioners is Former NCSBI Southern Piedmont District SAC Kevin Canty, who was formerly your colleague.

As always, if you have any questions regarding this request, please do not hesitate to contact me.

Sincerely,

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

Spencer B. Merriweather III
District Attorney