

Chief - instead Bunn PD

STATE OF NORTH CAROLINA

FRANKLIN for WAKE County

File No.

11CR 705112

In The General Court Of Justice
[X] District [] Superior Court Division

STATE VERSUS

Name And Address Of Defendant
HARLEY DEAN STUTTS

2005 MCBURNIE DR

RALEIGH

NC 27603

CONDITIONS OF RELEASE AND RELEASE ORDER

11RO1246096

G.S. Chapter 15A, Art. 25, 26

Amount Of Bond

\$ 1,000.00

Offenses And Additional File Numbers

11CR705112 MISDEMEANOR LARCENY

Location Of Court

Wake County Courthouse; WCCH

[] See Attachment

[X] District [] Superior

Date

10/28/2011

Time

09:00

[X] AM [] PM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.
[X] Your release is authorized upon execution of your:

[] WRITTEN PROMISE to appear

[] CUSTODY RELEASE

[] ELECTRONIC HOUSE ARREST administered by (agency)

[] UNSECURED BOND in the amount shown above

[X] SECURED BOND in the amount shown above and the SECURED BOND above.

You may leave your residence for the purpose(s) of [] employment [] counseling [] course of study [] vocational training

You will be arrested if you violate the following restrictions:

[] Your release is not authorized.

[] The defendant is required to provide (check all that apply) [] fingerprints under G.S. 15A-502(a1) or (a2). [] a DNA sample under G.S. 15A-266.3A. Prior to release, the defendant shall provide his/her (check all that apply) [] fingerprints. [] DNA sample.

[] The defendant has been [] (i) charged with a felony while on probation (complete AOC-CR-272, Side One). [] (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

[] The defendant was arrested or surrendered after failing to appear as required under a prior release order.

[] This was the defendant's second or subsequent failure to appear in this case.

[] Your release is subject to the conditions as shown on the attached [] AOC-CR-270. [] Other:

Additional Information

Date

10/13/2011

Signature Of Judicial Official

J W FRAZIER

[X] Magistrate

[] Deputy CSC

[] Assistant CSC

[] Clerk Of Superior Court

[] District Court Judge

[] Superior Court Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: [X] produce him/her in Court as provided above.

[] hold him/her [] as provided on the attached AOC-CR-272. [] for the following purpose: [X] [Check in all domestic violence and stalking cases covered by G.S. 15A-534.1(b)] produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (enter date and time 48 hours after time of arrest) [] AM [] PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility

Date

Signature Of Judicial Official

J W FRAZIER

WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date

Signature Of Defendant

Signature Of Person Agreeing To Supervise Defendant

Name Of Person Agreeing To Supervise Defendant (Type Or Print)

Address Of Person Agreeing To Supervise Defendant

DEFENDANT RELEASED ON BAIL

Date

10-13-11

Time

5:30 Hrs [] AM [] PM

Signature Of Jailer

D. L. White

AOC-CR-200, Rev. 4/11

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ORIGINAL COPY

CERTIFIED TRUE COPY SUPERIOR COURT

CONDITIONS OF RELEASE MODIFICATIONS

The Conditions of Release on the reverse are modified as follows:

Modification	Date	Signature Of Judicial Official

SUPPLEMENTAL ORDERS FOR COMMITMENT

The defendant is next Ordered produced in Court as follows:

Date	Time	Place	Purpose	Signature Of Judicial Official

DEFENDANT RECEIVED BY DETENTION FACILITY

Date	Time	Signature Of Jailer
10/13/11	11:35 am	of Hendrix

DEFENDANT RELEASED FOR COURT APPEARANCE

Date	Time	Signature Of Jailer

NOTE TO CUSTODIAN: This form shall accompany the defendant to court for all appearances.

STATE OF NORTH CAROLINA

WAKE County

File No.

11CR 224013

In The General Court Of Justice
[X] District [] Superior Court Division

STATE VERSUS

Name And Address Of Defendant
WAYNE ROBERT HICKS
1420 S WILMINGTON ST
RALEIGH NC 27603

CONDITIONS OF RELEASE AND RELEASE ORDER

11RO1252082

G.S. Chapter 15A, Art. 25, 26

Amount Of Bond

\$ 20,000.00

Offenses And Additional File Numbers

11CR224013 SEX OFFENDER/CHILD PREMISES

Location Of Court

Wake County Courthouse: 004D

[] See Attachment

[X] District [] Superior

Date

10/17/2011

Time

09:00

[X] AM [] PM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

[X] Your release is authorized upon execution of your:

[] WRITTEN PROMISE to appear

[] CUSTODY RELEASE

[] ELECTRONIC HOUSE ARREST administered by (agency)

[] UNSECURED BOND in the amount shown above

[X] SECURED BOND in the amount shown above

You may leave your residence for the purpose(s) of [] employment [] counseling [] course of study [] vocational training and the SECURED BOND above.

You will be arrested if you violate the following restrictions:

[] Your release is not authorized.

[X] The defendant is required to provide (check all that apply) [X] fingerprints under G.S. 15A-502(a1) or (a2). [] a DNA sample under G.S. 15A-266.3A. Prior to release, the defendant shall provide his/her (check all that apply) [X] fingerprints. [] DNA sample.

[] The defendant has been [] (i) charged with a felony while on probation (complete AOC-CR-272, Side One). [] (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

[] The defendant was arrested or surrendered after failing to appear as required under a prior release order.

[] This was the defendant's second or subsequent failure to appear in this case.

[] Your release is subject to the conditions as shown on the attached [] AOC-CR-270. [] Other:

Additional Information

Date 10/14/2011

Signature Of Judicial Official

RIETVELT

[X] Magistrate

[] Deputy CSC

[] Assistant CSC

[] Clerk Of Superior Court

[] District Court Judge

[] Superior Court Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: [X] produce him/her in Court as provided above.

[] hold him/her [] as provided on the attached AOC-CR-272. [] for the following purpose:

[] [Check in all domestic violence and stalking cases covered by G.S. 15A-534.1(b)] produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (enter date and time 48 hours after time of arrest) [] AM [] PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility

WAKE COUNTY JAIL

Date

10/14/2011

Signature Of Judicial Official

RIETVELT

WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released into the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date

Signature Of Defendant

Signature Of Person Agreeing To Supervise Defendant

Name Of Person Agreeing To Supervise Defendant (Type Or Print)

Address Of Person Agreeing To Supervise Defendant

Date

Time

DEFENDANT RELEASED ON BAIL

Signature Of Jailer

COURT COPY

File No. **1011130044** ICIR 224013

WARRANT FOR ARREST

Offense
I SEX OFFENDER/CHILD PREMISES

Name And Address Of Defendant
WAYNE ROBERT HICKS
1420 S WILMINGTON ST
RALEIGH
WAKE COUNTY

Race: W Sex: M Date Of Birth: 08/27/1959 Age: 52
Social Security No./Tax ID No.: 418-96-6768 Drivers License No. & State: 39867360 NC
Name Of Defendant's Employer:

Offense Code(s): I 3637
Offense In Violation Of G.S.: I 14-208.18(A)

Date Of Offense: 10/08/2011 through 10/08/2011
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)

Complainant (Name, Address Or Department):
T. T. FANNEXY
RALEIGH POLICE DEPARTMENT
6716 SIX FORKS ROAD
RALEIGH
WAKE COUNTY NC 27615

Names & Addresses Of Witnesses (Including Counties & Telephone Nos.):
W A LANE
RALEIGH POLICE DEPARTMENT
6716 SIX FORKS ROAD
RALEIGH
WAKE COUNTY NC 27615

Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan Date Issued: 10/14/2011

AOC-CR-100, Rev. 4/11 (Structured Sentencing)
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Law Enforcement Case No. P11130044 LID No. SID No. FBI No.
RALEIGH POLICE DEPARTMENT

STATE OF NORTH CAROLINA

WAKE County In The General Court Of Justice
District Court Division

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did KNOWINGLY BE AT, ON OR WITHIN 300 FEET OF THE NC SCIENCE AND HISTORY MUSEUM LOCATED AT 11 W. JONES STREET RALEIGH, NC WHICH IS A PLACE INTENDED PRIMARILY FOR THE USE, CARE, OR SUPERVISION OF MINORS AND IS A PLACE WHERE MINORS GATHER FOR REGULARLY SCHEDULED EDUCATIONAL, RECREATIONAL OR SOCIAL PROGRAMS. TO WIT: THE DEFENDANT IS REGISTERED AND IS REQUIRED TO REGISTER UNDER THIS ARTICLE AND DID ON 10-8-11 ENTER THE NC SCIENCE AND HISTORY MUSEUM.

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature
J. D. SAFERIGHT

Magistrate
 Assistant CSC
 Deputy CSC
 Clerk Of Superior Court

Location Of Court

Court Date

Court Time

AM PM

COURT COPY

CERTIFIED TRUE COPY
3/12/11
CLERK SUPERIOR COURT

STATE OF NORTH CAROLINA 2011 DEC 12 PM 12:12 File Number 11CR224013

WAKE County

In the General Court of Justice

District Superior Court Division

STATE VERSUS

~~FINAL DISCHARGE~~

~~G.S. 13-1; G.S. 14-415.1~~

Name of Defendant

HICKS, WAYNE, ROBERT

It appearing that the above defendant was placed on probation by JUDGE MANGUM
Judge, holding this Court on the 22nd day of November, 2011 for a period
(Month) (Year)
of 36 years/months, and it further appearing that the 36 year/month probation has ended.

NOW, THEREFORE, HAVING SATISFACTORILY COMPLETED THE PERIOD OF PROBATION AS ORDERED BY THE COURT, THE DIVISION OF ADULT CORRECTION, COMMUNITY CORRECTIONS HEREBY RELEASES THE DEFENDANT FROM FURTHER PROBATION SUPERVISION.

FOR CONVICTED FELONS ONLY

Pursuant to G.S. 13-1, all rights of citizenship which were forfeited on conviction, including the right to vote, are by law automatically restored, with the exception of the right to purchase, own, possess, or have in his custody, care, or control any firearm or any weapon of mass death and destruction. G.S. 14-415.1 makes it unlawful for any person who has been convicted of a felony to purchase, own, possess, or have in his custody, care or control any firearm or any weapon of mass death and destruction.

This the 22 day of November, 2011
(Month) (Year)

CERTIFIED TRUE COPY
[Signature]
CLERK SUPERIOR COURT
3/12/15

[Signature]

Signatory Authority

Distribution
Original Clerk of Court
First Copy Individual
Second Copy Probation/Parole Officer File

(TYPE OR PRINT IN BLACK INK) In The General Court Of Justice
 STATE OF NORTH CAROLINA District Court Division Superior Court Division
 Wake County

File No. 11CR 224013
 Additional File Nos.

Provide all case numbers resolved on the same day in the same court before the same judge.

Name And Address Of Indigent
 WAYNE ROBERT HICKS
 1420 S WILMINGTON ST
 RALEIGH NC 27603-2526
 Date Attorney Appointed 10/18/2011
 Full Social Security No. (Required by G.S. 7A-455(d))
 4 | 1 | 8 | - | 9 | 6 | - | 6 | 7 | 6 | 8 | Has No Social Security No.

NON-CAPITAL CRIMINAL CASE TRIAL LEVEL
 FEE APPLICATION
 ORDER FOR PAYMENT
 JUDGMENT AGAINST INDIGENT

G.S. Ch. 7A, Art. 36; G.S. 122C-268(d), -286(d)

NOTE: Use this form ONLY for non-capital criminal cases at the trial level - i.e. only for cases with a CR or CRS case caption. DO NOT use this form for non-criminal cases at the trial level, potentially capital cases at the trial level, appeals to the Court of Appeals or Supreme Court, or capital post-conviction cases. Attorneys should consult IDS Rule 1.9(a)(1a) for deadlines on the submission of final fee applications, as well as IDS' billing policies, available at www.ncids.org.

INSTRUCTIONS: Applicant completes and signs all applicable portions of Section I. The trial judge completes Sections II and III and signs Section IV to award payment or fix value of services and enter the appropriate judgments. If no judgments are to be entered, the trial judge must so indicate in Section III. Clerk mails private appointed counsel fee applications to: IDS Financial Services Office, Courier Box 56-10-50, Raleigh, NC, OR if courier is not available, mail to P.O. Box 2448, Raleigh, NC 27602.

I APPLICATION

I, the undersigned assigned counsel public defender IDS contract counsel make application for payment and reimbursement of necessary expenses incurred, or for determination of value of services rendered for the indigent. I certify that this information is correct to the best of my knowledge. MOST SERIOUS ORIGINAL CHARGE AND MOST SERIOUS DISPOSITION: Check ONE box in each of the following 3 columns.

<p>1. Original Charge (most serious)</p> <p><input checked="" type="checkbox"/> Felony Offense You Must Indicate Class of Offense: <u>I</u> Name of Offense: <u>Sex Offender Child Predator</u></p> <p><input type="checkbox"/> Felony Probation Violation <input type="checkbox"/> Misdemeanor Offense (Non-Traffic) <input type="checkbox"/> Misdemeanor Probation Violation <input type="checkbox"/> DWI <input type="checkbox"/> Other Traffic <input type="checkbox"/> Criminal Contempt <input type="checkbox"/> Treatment Court (in columns 2 and 3, check other) <input type="checkbox"/> Satellite-Based Monitoring Hearing (in columns 2 and 3, check other) <input type="checkbox"/> Non-Capital Motion For Appropriate Relief (in columns 2 and 3, check other) <input type="checkbox"/> Other*: *(Check only if none of the above)</p>	<p>2. Disposition (most serious)</p> <p><input checked="" type="checkbox"/> Guilty Plea Before Trial: Most Serious Original Charge <input type="checkbox"/> Guilty Plea Before Trial: Other Offense Name of Offense: _____ <input type="checkbox"/> Guilty Plea During Trial: Other Offense Name of Offense: _____ <input type="checkbox"/> Trial: Guilty Most Serious Original Charge <input type="checkbox"/> Trial: Guilty Other Offense Name of Offense: _____ <input type="checkbox"/> Trial: Acquitted <input type="checkbox"/> Probation Violation Found <input type="checkbox"/> Dismissed With Leave <input type="checkbox"/> Dismissed Without Leave <input type="checkbox"/> FTA/OFA Without Dismissal <input type="checkbox"/> Deferred/Diverted <input type="checkbox"/> Held In Criminal Contempt <input type="checkbox"/> No Probable Cause <input type="checkbox"/> Attorney Withdrew <input type="checkbox"/> None (Interim Fee) <input type="checkbox"/> Other*:</p>	<p>3. Judgment & Sentencing (most serious)</p> <p><input type="checkbox"/> Active Sentence Length of Sentence: _____ <input type="checkbox"/> Split Sentence <input checked="" type="checkbox"/> Supervised Probation <input type="checkbox"/> Unsupervised Probation <input type="checkbox"/> Probation Terminated <input type="checkbox"/> PJC <input type="checkbox"/> Fines And Costs Only <input type="checkbox"/> None (Acquitted/Dismissed/Deferred) <input type="checkbox"/> None (Attorney Withdrew) <input type="checkbox"/> None (Interim Fee) <input type="checkbox"/> Other*:</p>
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FINAL FEES ONLY:	Disposition Date: <u>11/22/11</u>	<input type="checkbox"/> Check here if you were appointed to represent this defendant in another case(s) at the time of the appointment to this case(s) and you already submitted a fee application for that case(s) in which the attorney appointment fee was charged.			
COMPLETE FOR THIS FEE: (Attach detailed time sheets when required by judge. Time must be reported in decimals, not minutes.)	Start Date Work This Fee: <u>10/19/2011</u>	End Date Work This Fee Request: <u>11/22/11</u>	Date First In Person Client Interview: <u>11/7/11</u>	Prior Total Fees And Expenses Allowed \$:	
	Name Of Judge Setting Fee: <u>Mansum</u>	Time In Court: <u>0.20</u>	Time In Court Waiting: <u>0.20</u>	Time Out Of Court: <u>1.60</u>	Total Time Claimed This Fee: <u>2.00</u>
	Travel (no. of miles):	Copying (if in house, no. of copies):	Other (attach receipts if >\$25):		Total Expenses \$:
	\$:	\$:	\$:		\$:

NOTE: In assigned counsel cases, the applicant is always the individual attorney. If payment is to be made to individual applicant, write "same" under payee and give applicant's taxpayer ID No. (Federal Employer ID No. or, if no Federal Employer ID, SSN). If payment is to be made to applicant's firm, give firm name as payee and firm's taxpayer ID No.

Name Of Applicant: OKELLEY, DEWEY Address: 414 Fayetteville St Suite 100 Raleigh NC 27601

Payee (see note): _____

Taxpayer ID No. (see note): _____ Telephone No.: 919-792-5400 Email Address: _____ Date: 11/22/11 Signature Of Applicant: [Signature]

II. ORDER TO PAY OR FIX VALUE OF SERVICES

Based on the Findings of Fact set out in Part III, the Court ORDERS that the "Total Amount" stated on Line 4 below be:

(Assigned Counsel) paid by the State of North Carolina to the payee named above.
 (Public Defender/IDS Contractor) fixed as the value of legal services and other expenses of representation rendered by the applicant named above.

1. Hours Approved By The Court	<u>2.00</u>
2. Fees Allowed/Value Of Services Rendered (Hours Approved x IDS Rate)	\$ <u>110</u>
3. Other Necessary Expenses Allowed By Court	\$ <u>0</u>
4. TOTAL AMOUNT	\$ <u>110</u>

III FINDINGS OF FACT AND JUDGMENTS

After due notice to the defendant named on the reverse and opportunity to be heard, the Court finds that the defendant has previously been adjudged to be indigent; that he/she requested and has been provided counsel and other necessary expenses of representation; and that the applicant named on the reverse provided services and incurred expenses of which the money value is that stated in Line 4 of Section II, plus any interim fees listed in the box in Section I labeled "Prior Total Fees And Expenses Allowed By Judge."

NOTE: Sign Section IV to enter judgments against the indigent defendant for the full value of attorney fees and expenses plus the \$50 attorney appointment fee. If no judgments are to be entered, or judgments are to be entered for a different amount, the trial court must fill in the appropriate blanks below. When entering Judgment #1, the trial court should verify the amount of any interim fees awarded.

NOTE: To enter Judgment #1 against a parent/responsible person, pursuant to G.S. 7A-450.1 et. seq, a separate order must be entered (may be modeled after Section III of form AOC-G-200, juvenile and other cases).

JUDGMENT #1 (Attorney Fees and Expenses) Based on the above findings, it is ORDERED that the State of North Carolina recover from the indigent defendant the TOTAL AMOUNT stated in Line 4 of Section II, plus any interim fees listed in the box in Section I labeled "Prior Total Fees And Expenses Allowed By Judge," together with interest at the legal rate from the date the judgment is docketed until paid, **UNLESS** one of the following boxes is checked:

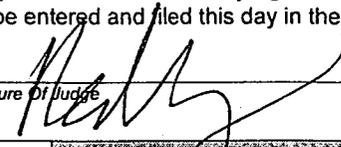
- 1. This is an interim fee and no judgment shall be entered at this time; or
- 2. The defendant was not convicted of a criminal offense and no judgment for the \$50 attorney appointment fee shall be entered, or
- 3. Other: _____

JUDGMENT #2 (Attorney Appointment Fee) It is further ORDERED that the State of North Carolina recover from the indigent defendant the attorney appointment fee pursuant to G.S. 7A-455.1, which shall be \$50 for convictions prior to October 1, 2010, and \$60 for convictions on or after October 1, 2010, **UNLESS** one of the following boxes is checked:

- 1. This is an interim fee, or this case is still pending, and no judgment shall be entered at this time; or
- 2. The defendant was not convicted of a criminal offense and no judgment for the \$50 attorney appointment fee shall be entered; or
- 3. The attorney named on the reverse was appointed to represent the defendant in another case(s) at the time of the appointment to this case(s) and he or she already submitted a fee application for that case(s) in which the \$50 attorney appointment fee was charged (see section I, "Final Fees Only," on the reverse); or

IV. SIGNATURE OF JUDGE

By signing below, the Court enters an ORDER TO PAY APPLICANT OR FIX VALUE OF SERVICES in the amount indicated in Section II on the reverse, which shall be entered and filed this day in the office of the Clerk of Superior Court. Unless no judgment is ordered in Section III above, the Court further Orders that the FINDINGS and JUDGMENTS shall be entered and filed this day in the office of the Clerk of Superior Court. The Judgments shall become effective as provided by law.

Date APR 17 2012	Name Of Judge (Type Or Print) Alan W. Mangum	Signature Of Judge 
----------------------------	--	---

V. DOCKETING - CSC USE ONLY

NOTE: Docket any judgments immediately on the date on which the defendant's conviction becomes final, unless the defendant is ordered as a condition of supervised or unsupervised probation to pay the State for the costs of his/her representation. If the defendant is so ordered, docket any judgments immediately on the date the defendant's probation is revoked or terminated by the Court, or when the term of probation expires, whichever occurs first; then docket the amounts owing.

Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Judgment#1 Docket Book And Page No.	Abstract No.	Amount Docketed \$

NOTE TO CLERK: If Judgment #2 has been ordered by the Court, docket \$50 if the Disposition Date on Side One is before October 1, 2010, and docket \$60 if the Disposition Date on Side One is on or after October 1, 2010.

NORTH CAROLINA Statewide Search Results

OUTSTANDING PROCESSES REPORT

Date and Time of Report
10/13/2011 03:48 PM

Defendant Name	DOB	County: File Number - Process Type	Primary Offense	System Maintained	Process Verified
STUTTS, HARLEY DEAN	02/08/1993	WAKE: 11CR206713 - OFA - FTA-RO	BREAKING OR ENTERING (M)	NCAWARE	ELECTRONIC

The correct address
1268 Old Halifax Rd Zebulon, WI

THE CLERK SUPERIOR COURT
3/12/11
CERTIFIED TRUE COPY

This OFA became active after
Defendant was served on 11CR705112
Showered up in Actis as a C-7 before

STATE OF NORTH CAROLINA			File No: 11CR 224013
WAYNE County		In The General Court Of Justice	
STATE VERSUS		<input checked="" type="checkbox"/> District <input type="checkbox"/> Superior Court Division	
Name of Defendant WAYNE R. HICKS			TRANSCRIPT OF PLEA
DOB 8-27-51	Age 52	Highest Level Of Education Completed 3 years college	

N.C.G.S. 15A-1022

The defendant, having offered a plea of GUILTY and being first duly sworn, makes the following answers to the question set out below:

Questions	Answers
1. Are you able to hear and understand me?	yes
2. Do you understand that you have the right to remain silent and that any statement you make may be used against you?	yes
3. At what grade level can you read and write?	college
4. (a) Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other intoxicants?	no
(b) When was the last time you used or consumed any such substance?	6-7 yrs ago
5. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge?	yes
6.(a) Have you and your lawyer discussed the possible defenses, if any, to the charges?	yes
(b) Are you satisfied with your lawyers legal services?	yes
7. (a) Do you understand that you have the right to plead not guilty and be tried by a jury?	yes
(b) Do you understand that at such trial you have the right to confront and to cross examine witnesses against you?	yes
(c) Do you understand that at a jury trial you have the right to have a jury determine the existence of any aggravating factors that may apply to your case (and, if applicable, additional sentencing points not related to prior convictions) beyond a reasonable doubt?	N/A
(d) Do you understand that by your plea(s) you give up these and your other constitutional rights relating to a trial by jury?	yes
(e) Do you understand that following a plea of guilty or no contest there are limitations on your right to appeal?	yes
(f) Do you understand that your plea of guilty may impact how long biological evidence related to your case (for example, blood, hair, skin tissue) will be preserved?	yes
8. Do you understand that, if you are not a citizen of the United States of America, you plea(s) of guilty or no contest may result in your deportation, the exclusion from admission to this country, or the denial of naturalization under federal law?	yes
9. Do you understand that upon conviction of a felony you may forfeit any State licensing privileges you have in the event that you refuse probation, or that your probation is revoked? <input type="checkbox"/> (Victim Rights Act cases only) Do you understand that upon your conviction of _____ you may be ordered to pay restitution to any persons directly and proximately injured as a result of your commission of that offense, and that a civil judgment in favor of each such person may be docketed against you and will be a lien against real estate owned by you for the next ten years?	N/A
10. Do you understand that you are pleading (guilty) (no contest) to the charges shown on the attached sheet, which carry the total punishments listed?	yes

Plea	File No.	Count No.	Offense	G.S.	F/M	CL	Maximum Punishment
G	11CR 224013	1	SD on premises	14-208.1B	F	I	15 mos
				(a)(1)			
TOTAL MAXIMUM PUNISHMENT				15 mos			
MANDATORY MINIMUM FINES & SENTENCES (if any)							

CERTIFIED TRUE COPY
CLERK SUPERIOR COURT

11. Do you now personally plead (guilty) (no contest)?	
12. (a) (if applicable) Are you in fact guilty?	yes
(b) (if applicable) Do you understand that upon your plea of no contest you will be treated as being guilty whether or not you admit your guilt?	yes
(c) (if applicable) (Alford Plea)	n/a
(1) Do you now consider it in your best interest to plead guilty?	
(2) Do you understand that upon your "Alford Plea" you will be treated as being guilty whether or not you admit that you are in fact guilty?	n/a
13. Have you agreed to plead as part of a plea arrangement? Before you answer, I advise you that the Courts have approved plea negotiating, and if there is such, you may advise me truthfully without fear of incurring my disapproval?	no
14. (if applicable) The prosecutor and your lawyer have informed the Court that these are all the terms and conditions of your plea:	

prostitution sentence in its discretion

(a) Is this correct as being your full plea arrangement?	n/a
(b) Do you now personally accept this arrangement?	n/a
15. (Other than the plea arrangement between you and the prosecutor) has anyone made any promises or threatened you in any way to cause you to enter this plea against your wishes?	no
16. Do you enter this plea of your own free will, fully understanding what you are doing?	yes
17. Do you have any questions about what has just been said to you or about anything else connected to your case?	no

I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated above, if any, are accurate.

SWORN AND SUBSCRIBED TO BEFORE ME

Date	Signature	Date	Signature of Defendant
11/22/11	[Signature]	11/22/11	[Signature]
<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk of Superior Court		Name Of Defendant (Type or Print)	Wayne Robert Hatcher

CERTIFICATION BY LAWYER FOR DEFENDANT

As lawyer for the defendant named above, I hereby certify that the conditions stated above, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charge(s) to which the defendant is pleading.

Date	Name of Lawyer For Defendant (Type or Print)	Signature Of Lawyer For Defendant
11/22/11	Dwight Skelley	[Signature]

CERTIFICATION BY PROSECUTOR

As prosecutor for this Prosecutorial District, I hereby certify that the conditions stated above, if any, are the terms agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charge(s) in this case.

Date	Name of Prosecutor (Type or Print)	Signature Of Prosecutor
11-2-2011	MELANIE A. SHEKITA	[Signature]

PLEA ADJUDICATION

Upon consideration of the record proper, evidence presented, answers of defendant, and statements of the lawyer for the defendant and the District Attorney, the undersigned finds that:

1. There is a factual basis for the entry of plea.
2. The defendant is satisfied with his/her lawyer.
3. The defendant is competent to stand trial and that the plea is the informed choice of the defendant and is made freely, voluntarily and understandingly.

The defendant's plea is hereby accepted by the Court and is ordered recorded.

Date	Name of Presiding Judge (Type or Print)	Signature of Presiding Judge
NOV 22 2011	Med W. Mangun	[Signature]

STATE OF NORTH CAROLINA

File No. **UCR 224013**

WAKE County

In The General Court Of Justice
 District Superior Court Division

STATE VERSUS
 Name And Address Of Defendant
WAYNE R. HICKS
 Social Security No. _____ SID No. _____
 Race **W** Sex **M** DOB **8-27-59**

**WORKSHEET
 PRIOR RECORD LEVEL FOR
 FELONY SENTENCING AND
 PRIOR CONVICTION LEVEL FOR
 MISDEMEANOR SENTENCING
 (STRUCTURED SENTENCING)**

G.S. 15A-1340.14, 15A-1340.21

I. SCORING PRIOR RECORD/FELONY SENTENCING

NUMBER	TYPE	FACTORS	POINTS
	Prior Felony Class A Conviction	X10	
	Prior Felony Class B1 Conviction	X 9	
	Prior Felony Class B2 or C or D Conviction	X 6	
	Prior Felony Class E or F or G Conviction	X 4	
1	Prior Felony Class H or I Conviction	X 2	2
1	Prior Class A1 or 1 Misdemeanor Conviction (see note on reverse)	X 1	1
SUBTOTAL			

Defendant's Current Charge(s):

If all the elements of the present offense are included in any prior offense whether or not the prior offenses were used in determining prior record level.	+ 1	
If the offense was committed: (a) while on supervised or unsupervised probation, parole, or post-release supervision; or (b) while serving a sentence of imprisonment; or (c) while on escape.	+ 1	
TOTAL		3

II. CLASSIFYING PRIOR RECORD/CONVICTION LEVEL

MISDEMEANOR

NOTE: If sentencing for a misdemeanor, total the number of prior conviction(s) listed on the reverse and select the corresponding prior conviction level.

No. Of Prior Convictions	Level
0	I
1 - 4	II
5+	III

PRIOR CONVICTION LEVEL **▶**

The Court has determined the number of prior convictions to be _____ and the level to be as shown above.

In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.

FELONY

NOTE: If sentencing for a felony, locate the prior record level which corresponds to the total points determined in Section I above.

Points	Level
0 - 1	I
2 - 5	II
6 - 9	III
10 - 13	IV
14 - 17	V
18+	VI

PRIOR RECORD LEVEL **▶** II

The Court finds the prior convictions, prior record points and the prior record level of the defendant to be as shown herein.

In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.

In finding a prior record level point under G.S. 15A-1340.14(b)(7), the Court has relied on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.

- The Court finds that all of the elements of the present offense are included in a prior offense.
- For each out-of-state conviction listed in Section I on the reverse, the Court finds by a preponderance of the evidence that the offense is substantially similar to a North Carolina offense and that the North Carolina classification assigned to this offense in Section V is correct.
- The Court finds that the State and the defendant have stipulated in open court to the prior convictions, points and record level.

Date **NOV 22 2011** Name Of Presiding Judge (Type Or Print) **Mad. W. [Signature]** Signature Of Presiding Judge **[Signature]**

STATE OF NORTH CAROLINA

WAKE County RALEIGH Seat of Court

File No.

11CR 224013

1

In The General Court Of Justice

[X] District [] Superior Court Division

NOTE: [This form is to be used for (1) felony offense(s) and (2) misdemeanor offense(s) that are consolidated for judgment with any felony offense(s). Use AOC-CR-310 for DWI offense(s).]

STATE VERSUS

JUDGMENT SUSPENDING SENTENCE - FELONY

Name Of Defendant

HICKS, WAYNE, ROBERT

[X] IMPOSING AN INTERMEDIATE PUNISHMENT

[] IMPOSING A COMMUNITY PUNISHMENT

(STRUCTURED SENTENCING)

Race

W

Sex

M

DOB

8/27/1959

G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Attorney For State

SHEKITA, MELANIE, A

[] Def. Found Not Indigent [] Def. Waived Attorney

Attorney For Defendant

OKELLEY, DEWEY

[X] Appointed [] Retained

Crt Rptr Initials CLP

The defendant [X] pled guilty to [] was found guilty by a jury of [] pled no contest to

Table with columns: File No.(s), Off., Offense Description, Offense Date, G.S. No., F/M, CL, Pun. CL. Row 1: 11CR 224013, 1, SEX OFFENDER/CHILD PREMISES, 10/8/2011, 14-208.18(A), F, H

*NOTE: Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).

PRIOR RECORD LEVEL: [] I [] III [] V [X] II [] IV [] VI

The Court:

- [X] 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 3. Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.
[] 2. makes no prior record level finding because none is required.

The Court (NOTE: Block 1 or 2 MUST be checked):

- [X] 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).
[] 2. makes the aggravating and mitigating factors Determination as set forth on the attached AOC-CR-605.
[] 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606.
[] 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).
[] 5. finds enhancement pursuant to: [] G.S. 90-95(e)(3) (drugs). [] G.S. 14-3(c) (hate crime). [] G.S. 50B-4.1 (domestic violence). [] G.S. 14-50.22 (gang). [] Other: . This finding is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.
[X] 6. imposes the punishment pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
[] 7. finds the above designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore
a. imposes the special conditions of probation set forth on the attached AOC-CR-603, Page Two, Side Two, and
b. makes the additional findings and orders on the attached AOC-CR-615; Side Two.
[] 8. finds the above-captioned offense(s) involved the (check all that apply) [] physical or mental [] sexual abuse of a minor. [] (If No. 7 not found) and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603, Page Two, Side Two.
[] 9. finds that a [] motor vehicle [] commercial motor vehicle was used in the commission of the offense and this conviction shall be reported to DMV.
[] 10. finds this is an offense involving assault or communicating a threat, and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim.
[] 11. finds the above-designated offense(s) involved criminal street gang activity. G.S. 14-50.25.

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned

for a minimum term of 6 months for a maximum term of 8 months in the custody of the N.C. DOC.

[] This sentence shall run at the expiration of sentence imposed in file number

The defendant shall be given credit for 39 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the [X] sentence imposed above. [] imprisonment required for special probation set forth on AOC-CR-603, Page Two.

SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on [X] supervised [] unsupervised probation for 36 months.

- [] 1. The Court finds that a [] longer [] shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).
[] 2. The Court finds that it is NOT appropriate to delegate to the Division of Community Corrections in the Department of Correction the authority to impose any of the requirements in G.S. 15A-1343.2(e) if the offender is sentenced to a community punishment, or G.S. 15A-1343.2(f) if the offender is sentenced to an intermediate punishment.
[] 3. The above period of probation shall begin when the defendant is released from incarceration in the case referred to below.
[] 4. The above period of probation shall begin at the expiration of the sentence in the case referred to below.

Table with columns: File Number, Offense, County, Court, Date

- [] 5. The defendant shall comply with the conditions set forth in file number
[X] 6. The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)

MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee, pursuant to a schedule [X] determined by the probation officer. [] set out by the Court as follows:

Table with columns: Court Costs, Miscellaneous, Fine, Restitution, Attorney's Fee, Comm. Service Fee, EHA Fee, SBM Fee, Total Amount Due. Row 1: \$ 590.00, \$ 60.00, \$ 50.00, \$, \$ 200.00, \$ 250.00, \$, \$, \$ 1,060.00

*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference.

[] Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.

REGULAR CONDITIONS OF PROBATION - G.S. 15A-1343(b)

NOTE: Any probationary judgment may be extended pursuant to G.S. 15A-1342. The defendant shall: (1) Commit no criminal offense in any jurisdiction. (2) Possess no firearm, explosive device or other deadly weapon listed in G.S. 14-269. (3) Remain gainfully and suitably employed or faithfully pursue a course of study or vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution. (4) Satisfy child support and family obligations, as required by the Court. If the defendant is on supervised probation, the defendant shall also: (5) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer. (6) Report as directed by the Court or the probation officer to the officer at reasonable times and places and in a reasonable manner, permit the officer to visit at reasonable times, answer all reasonable inquiries by the officer and obtain prior approval from the officer for, and notify the officer of, any change in address or employment. (7) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment. (8) At a time to be designated by the probation officer, visit with the probation officer a facility maintained by the Division of Prisons. (9) Submit at reasonable times to warrantless searches by a probation officer of the defendant's person and of the defendant's vehicle and premises while the defendant is present, for purposes directly related to the probation supervision, but the defendant may not be required to submit to any other search that would otherwise be unlawful. Whenever the warrantless search consists of testing for the presence of illegal drugs, the defendant may be required to reimburse the Department of Correction for the actual cost of drug screening and drug testing, if the results are positive. (10) Submit to warrantless searches by a law enforcement officer of the defendant's person and of the defendant's vehicle, upon a reasonable suspicion that the defendant is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon listed in G.S. 14-269 without written permission of the court. (11) Not use, possess, or control any illegal drug or controlled substance unless it has been prescribed for the defendant by a licensed physician and is in the original container with the prescription number affixed on it; not knowingly associate with any known or previously convicted users, possessors, or sellers of any such illegal drugs or controlled substances; and not knowingly be present at or frequent any place where such illegal drugs or controlled substances are sold, kept, or used.

12. The Court finds that the defendant is responsible for acts of domestic violence and there is an abuser treatment program, approved by the Domestic Violence Commission, reasonably available to the defendant, and the defendant shall attend and complete that program. there is not an approved abuser treatment program reasonably available. it would not be in the best interests of justice to order the defendant to complete an abuser treatment program because _____

NOTE: See Page Two, Side Two, for Additional Conditions For Persons Convicted Of Domestic Violence.

SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1), 143B-262(c)

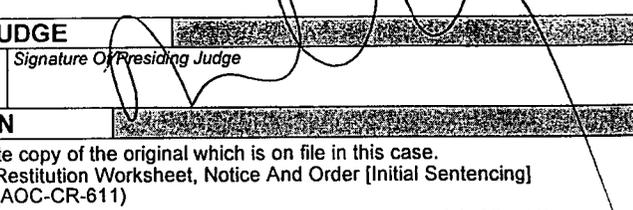
- The defendant shall also comply with the following special conditions which the Court finds are reasonably related to the defendant's rehabilitation:
13. Surrender the defendant's drivers license to the Clerk of Superior Court for transmittal/notification to the Division of Motor Vehicles and not operate a motor vehicle for a period of _____ or until relicensed by the Division of Motor Vehicles, whichever is later.
14. Successfully pass the General Education Development Test (G.E.D.) during the first _____ months of the period of probation.
15. Complete _____ hours of community service during the first _____ days of the period of probation, as directed by the judicial service coordinator. The fee prescribed by G.S. 143B-262.4 is
 (for offenses committed on or after December 1, 2009) not due because it is assessed in a case adjudicated during the same term of court.
 to be paid pursuant to the schedule set out under Monetary Conditions above within _____ days of this Judgment and before beginning service.
16. Report for initial evaluation by _____ participate in all further evaluation, counseling, treatment or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.
17. Not assault, threaten, harass, be found in or on the premises or workplace of, or have any contact with _____ "Contact" includes any defendant-initiated contact, direct or indirect, by any means including but not limited to telephone, personal contact, e-mail, pager, gift-giving, telefacsimile machine or through any other person, except _____
18. Other:
 NOT BE FND IN/ABT PREM OF PARK/MUSEUM/SCHOOL/OR ANY PLACE INTEND FOR USE, CARE OR SUPERV OF MINOR; DEF SHALL COMPLETE NC SEX OFF CONTROL PROG; DEF HAVE NO CNTCT W/ANY FED OR STATE PRISON INMATE; COMPLY W/ SEX OFF REG

19. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603, Page Two.
- A hearing was held in open court in the presence of the defendant at which time a fee, including expenses, was awarded the defendant's appointed counsel or assigned public defender.

ORDER OF COMMITMENT/APPEAL ENTRIES

1. It is ORDERED that the Clerk deliver **two** certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.
2. The defendant gives notice of appeal from the judgment of the trial court to the appellate division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

SIGNATURE OF JUDGE

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
11/22/2011	JUDGE NED MANGUM	

CERTIFICATION

- I certify that this Judgment and the attachment(s) marked below is a true and complete copy of the original which is on file in this case.
- | | |
|---|---|
| <input type="checkbox"/> 1. Appellate Entries (AOC-CR-350) | <input type="checkbox"/> 5. Restitution Worksheet, Notice And Order [Initial Sentencing] (AOC-CR-611) |
| <input type="checkbox"/> 2. Judgment Suspending Sentence, Page Two [Special Conditions Of Probation] (AOC-CR-603, Page Two) | <input type="checkbox"/> 6. Judicial Findings As To Required DNA Sample (AOC-CR-319) |
| <input type="checkbox"/> 3. Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605) | <input type="checkbox"/> 7. Judicial Findings And Order For Sex Offenders - Suspended Sentence (AOC-CR-615, Side Two) |
| <input type="checkbox"/> 4. Extraordinary Mitigation Findings (AOC-CR-606) | <input type="checkbox"/> 8. Convicted Sex Offender Permanent No Contact Order (AOC-CR-620) |

Date Of Certification	Signature	SEAL
Date Certified Copies Delivered To Sheriff	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court	

Name Of Defendant

HICKS, WAYNE, ROBERT

INTERMEDIATE PUNISHMENTS - CONTEMPT

NOTE: Use this page in conjunction with AOC-CR-310, "Impaired Driving - Judgment Suspending Sentence;" AOC-CR-603, "Judgment Suspending Sentence - Felony;" AOC-CR-604, "Judgment Suspending Sentence - Misdemeanor(s);" AOC-CR-609, "Order On Violation Of Probation Or On Motion To Modify;" AOC-CR-619, "Conditional Discharge Under G.S. 90-96(a);" or AOC-CR-621, "Conditional Discharge Under G.S. 14-50.29."

In addition to complying with the regular and any special conditions of probation set forth in the "Judgment Suspending Sentence" entered in the above case(s), the defendant shall also comply with the following special conditions of probation and conditions of special probation, which are defined as intermediate punishments by G.S. 15A-1340.11(6).

- 1. Special Probation - G.S. 15A-1351 Contempt - G.S. 15A-1344(e1) and 5A-11(a)

For the defendant's active sentence as a condition of special probation, the defendant shall comply with these additional regular conditions of probation: (1) Obey the rules and regulations of the Department of Correction governing the conduct of inmates while imprisoned. (2) Report to a probation officer in the State of North Carolina within seventy-two (72) hours of the defendant's discharge from the active term of imprisonment.

- A. Serve an active term of ___ days ___ months ___ hours in the custody of ___ N.C. DOC. ___ Sheriff of this County.
B. The defendant shall report in a sober condition to begin serving his/her term on:

Table with columns: Day, Date, Hour, AM/PM and shall remain in custody until: Day, Date, Hour, AM/PM

- C. The defendant shall again report in a sober condition to continue serving this term on the same day of the week for the next ___ consecutive weeks, and shall remain in custody during the same hours each week until completion of the active sentence ordered.
D. This sentence shall be served at the direction of the probation officer within ___ days ___ months of this judgment.
E. Pay jail fees. F. Work release is recommended. G. Substance abuse treatment is recommended.
H. Other:

- 2. Residential Program - G.S. 15A-1340.11(8); 15A-1343(b1)(2)

Attend or reside in ___ (name program) residential program for a period of ___ days, ___ months, and abide by all rules and after care regulations of that program.

Other:

- 3. House Arrest With Electronic Monitoring - G.S. 15A-1340.11(4a); 15A-1343(b1)(3c)

Be assigned to house arrest and electronic monitoring and remain at the defendant's residence for a period of ___ days ___ months, abide by all rules, regulations and directions of the probation officer regarding such monitoring, and pay the fee prescribed in G.S. 15A-1343(c2) as provided under Monetary Conditions. The defendant may leave the residence for the following purpose(s) and as otherwise permitted by the defendant's probation officer: ___ employment ___ counseling ___ a course of study ___ vocational training.

Other:

- 4. Intensive Supervision - G.S. 15A-1340.11(5); 15A-1343(b1)(3b); 143B-262(c)

Submit to intensive supervision pursuant to G.S. 143B-262(c), for a period of ___ 9 ___ months (6 to 9 months recommended by the Division of Community Corrections), and comply with the rules adopted for such supervision by the Division of Community Corrections.

Other:

- 5. Day-Reporting Center - G.S. 15A-1340.11(3); 15A-1343(b1)(10); 15A-1340.11(6)

Report as directed by the probation officer to the Day Reporting Center for a period of ___ days, ___ months, and abide by all rules and regulations of that program.

Other:

- 6. Drug Treatment Court - G.S. 15A-1340.11(3a); 15A-1340.11(6)

Comply with the rules adopted for the program as provided for in Article 62 of Chapter 7A of the General Statutes and report on a regular basis for a specified time to participate in court supervision, drug screening or testing, and drug or alcohol treatment programs.

Other:

INTERMEDIATE CONDITIONS OF PROBATION - G.S. 15A-1343(b4)

If subject to intermediate punishment, the defendant shall, in addition to the terms and conditions imposed above, comply with the following intermediate conditions of probation. (1) If required by the defendant's probation officer, perform community service under the supervision of the Division of Community Corrections, and pay the fee required by G.S. 143B-262.4, but no fee shall be due if the Court imposed community service as a special condition of probation and assessed the fee in this judgment or any judgment for an offense adjudicated in the same term of court. (2) Not use, possess, or control alcohol. (3) Remain within the defendant's county of residence unless granted written permission to leave by the court or the defendant's probation officer. (4) Participate in any evaluation, counseling, treatment or educational program as directed by the probation officer, keeping all appointments and abiding by the rules, regulations, and direction of each program.

Handwritten stamp: RECEIVED 3/12/15 CLERK SUPERIOR COURT

MANDATORY SPECIAL CONDITIONS FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF A MINOR - G.S. 15A-1343(b2)

NOTE: The following are not defined as intermediate punishments under G.S. 15A-1340.11(6).

NOTE: Select only one of the three sets of conditions below.

7. Special Conditions For Reportable Convictions - G.S. 15A-1343(b2)

NOTE: Impose only for a reportable conviction under G.S. 14-208.6.

The defendant has been convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4) and must

1. Register as a sex offender and enroll in satellite-based monitoring if required on the attached AOC-CR-615, Side Two.
2. Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
3. Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
4. (if the Court finds physical, mental or sexual abuse of a minor) Not reside in a household with
 - a. (for sexual abuse) any minor child.
 - b. (for physical or mental abuse) any minor child other than the child(ren) named below, for whom the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the best interest of the child(ren) named below to reside in the same household with the probationer. (Name minor child(ren) with whom the probationer may reside in the same household): _____
5. Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: child pornography

6. Other: _____

8. Special Conditions For Offenses Involving The Sexual Abuse Of A Minor - G.S. 15A-1343(b2)

NOTE: Impose if offense involved sexual abuse of a minor but is not a reportable conviction.

The defendant has been convicted of an offense involving the sexual abuse of a minor and must

1. Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
2. Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
3. Not reside in a household with any minor child. (G.S. 15A-1343(b2)(4))
4. Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: child pornography

5. Other: _____

9. Special Conditions For Offenses Involving The Physical Or Mental Abuse Of A Minor - G.S. 15A-1343(b2)

NOTE: Impose if offense involved physical or mental abuse of a minor but is not a reportable conviction and did not involve sexual abuse.

The defendant has been convicted of an offense involving the physical or mental abuse of a minor and must

1. Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
2. Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
3. Not reside in a household with
 - a. any minor child.
 - b. any minor child other than the child(ren) named below, for whom the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the best interest of the child(ren) named below to reside in the same household with the probationer. (Name minor child(ren) with whom the probationer may reside in the same household): _____
4. Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: child pornography

5. Other: _____

OTHER SPECIAL CONDITIONS

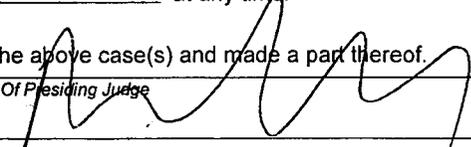
10. Other Special Conditions:

ADDITIONAL CONDITIONS FOR PERSONS CONVICTED OF A DOMESTIC VIOLENCE OFFENSE

The defendant shall

- A. not come within _____ feet of _____ at any time.
- B. fully comply with any 50B Domestic Violence Protective Order in effect.

The above conditions are incorporated in the "Judgment Suspending Sentence" in the above case(s) and made a part thereof.

Date 11/22/2011	Name Of Presiding Judge (Type Or Print) JUDGE NED MANGUM	Signature Of Presiding Judge 
--------------------	---	--

STATE OF NORTH CAROLINA

File No.

11CR 705112

WAKE

County

In The General Court Of Justice

District Superior Court Division

Name And Mailing Address Of Defendant

HARLEY DEAN STUTTS

2005 MCBURNIE DR

RALEIGH

NC

27603

Social Security No.

243-75-1283

Telephone No. Of Defendant

Total Bond Required

\$ 1,000.00

Amount Of This Bond

\$ 1,000.00

APPEARANCE BOND FOR PRETRIAL RELEASE

11AB1247370

G.S. 15A-531, 15A-534, 15A-544.2

Offenses And Additional File Numbers

11CR705112 MISDEMEANOR LARCENY

See Attachment

- Unsecured Appearance Bond - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
- Cash Appearance Bond (See note on reverse side.) - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations.
- Defendant's Property Appearance Bond - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side, and as security for said Bond have executed a mortgage or deed of trust to real or personal property, payable to the State of North Carolina and with power of sale conditioned upon the breach of any condition of this Bond.
- Surety Appearance Bond - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
 - (Professional bondsman, Bail Agent and Runners) - The "Affidavit" on the reverse side of this Bond is complete and true.
 - Cash Deposited By Surety (See note on reverse side.) - We have deposited the cash identified below to secure our obligations as sureties on this bond with the understanding that the deposit will be returned to us upon the Court's determination that the conditions of pretrial release have been performed, and that it will NOT be available to satisfy defendant's obligations.

Date Of Execution Of Bond

10/13/2011

Signature Of Defendant

Harley Stutts

ACCOMMODATION BONDSMAN

See Page Two for additional accommodation bondsman executing this bond.

Name And Address Of Accommodation Bondsman

Name And Address Of Accommodation Bondsman

Social Security No.

Telephone No.

Social Security No.

Telephone No.

PROFESSIONAL BONDSMAN

Name Of Bondsman

HENDERSON, KENDRA N

Name Of Runner, If Applicable

NEAL, EVON D

License No. Of Bondsman

0008696156

License No. Of Runner

0008696169

INSURANCE COMPANY

Name Of Insurance Company

Name Of Bail Agent

Power Of Appointment No. Of Bail Agent

License No. Of Bail Agent

SIGNATURE

Signature Of Surety

Signature Of Surety

SWORN AND SUBSCRIBED TO BEFORE ME

SWORN AND SUBSCRIBED TO BEFORE ME

Date

Signature

Date

Signature

10/13/2011

J W FRAZIER

- Magistrate Deputy CSC Assistant CSC Clerk Of Superior Court
- Custodian Of Detention Facility [G.S. 15A-537(c)]

- Magistrate Deputy CSC Assistant CSC Clerk Of Superior Court
- Custodian Of Detention Facility [G.S. 15A-537(c)]

COMPLETE IF CASH DEPOSITED

Signature Of Official Accepting Cash

Name Of Official Accepting Cash (Type Or Print)

Receipt No.

NOTE: If cash deposited, see note on reverse side.

ORIGINAL COPY
CLERK SUPERIOR COURT
10/13/2011

CONDITIONS

The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required and will at all times remain amenable to the orders and processes of the Court. It is agreed and understood that this Bond is effective and binding upon the defendant and each surety throughout all stages of the proceedings in the trial divisions of the General Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court. If the defendant appears as ordered and otherwise performs the foregoing conditions of the bond, then the bond is to be void, but if the defendant fails to obey any of these conditions, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes.

Each accommodation bondsman, by signing on the reverse or on Page Two, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

AFFIDAVIT

NOTE: "Professional bondsmen, surety bondsmen [bail agent], and runners must file with the clerk of court having jurisdiction over the principal, an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply.

- 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
- 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- 3. I have received a premium in the amount shown below.
- 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$ <u>150</u>	Date Due <u>10/13/11</u>	Amount Of Premium Received \$ <u>150</u>
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value



1205909

RETURN OF CUSTODIAN OF DETENTION FACILITY

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Date Defendant Released	Signature Of Custodian	<input type="checkbox"/> Sheriff <input type="checkbox"/> Deputy Sheriff <input type="checkbox"/> Other _____
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NOTES ON CASH BONDS:

(1) **To Official Taking The Bond.** Use this form for all cash bonds. Only magistrate or clerk may take cash bond. Jailer may not take cash bond. Complete this form as follows:

When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and SS# at the top of Side One. Check "Cash Appearance Bond." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.

When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and SS# at the top of Side One. Check "Surety Appearance Bond." Also check "Cash Deposited By Surety." Have defendant sign. Enter name, address and SS# of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.

(2) **To Bookkeeper.** When case disposed, disburse cash as follows: (1) If "Cash Appearance Bond" checked on Side One, disburse to Defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" and "Cash Deposited by Surety" are checked on Side One, disburse only to person named under "Accommodation Bondsman."

(3) **Bond With Insurance Company As Surety Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by a bail agent acting on behalf of an insurance company is the same as a cash bond, except in child support contempt proceedings where only cash may satisfy a cash bond requirement.