

## ARREST REPORT

A G E N C Y	Agency Name <b>BURKE COUNTY SHERIFF'S OFFICE</b>		ORI <b>0120000</b>		Date/Time Arrested <b>07/02/2014 21:49</b>		OCA <b>201402658</b>					
	<input type="checkbox"/> Taken <input type="checkbox"/> Prints <input checked="" type="checkbox"/> Photos	Fingerprint Card Check Digit # (CKN)		Arrest Tract <b>F</b>		Residence Tract <b>F</b>		Arrest Number <b>105451</b>				
A R R E S T E E	Name (Last, First, Middle) <b>ARNEY, RICHARD NEIL SR</b>			D.O.B. <b>05/19/1959</b>		Age <b>55</b>	Race <b>W</b>	Sex <b>M</b>	Place of Birth <b>BURKE CO., NC</b>	Country of Citizenship <b>US</b>		
	Current Address <b>270 Summers Rd, MORGANTON, NC 28655</b>			Phone <b>828-403-2914</b>		Occupation		<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Unknown <input type="checkbox"/> Non-Resident				
	Employer's Name <b>SELF</b>			Address			Phone					
	Also Known As (Alias Names)			Hgt <b>6'02</b>	Wgt <b>235</b>	Hair <b>GRY</b>	Eyes <b>BRO</b>	Skin Tone <b>MED</b>	Consumed Drug/Alcohol <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unk			
	Scars, Marks, Tattoos <b>SCAR LEFT EYE</b>			Social Security #		OLN and State		Misc. # and Type				
	Nearest Relative Name <b>ARNEY, MARY BURNS</b>			Address <b>1990 WALL ST., MORGANTON, NC 28655</b>				Phone <b>828-437-8113</b>				
A R R E S T	If Armed, Type of Weapon <b>HANDGUN</b>		<input checked="" type="checkbox"/> On-View <input type="checkbox"/> Criminal Summons <input type="checkbox"/> Order for Arrest <input type="checkbox"/> Citation <input type="checkbox"/> Warrant			Place of Arrest <b>270 SUMMERS RD, MORGANTON</b>						
	Charge #1 <b>Resist, Delay Or Obstruct</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>0810</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>14-223</b>	Warr. Date <b>07/02/2014</b>			
	Charge #2 <b>Noise Ordinance Violations</b>		<input type="checkbox"/> Fel <input checked="" type="checkbox"/> Misd	Counts <b>1</b>	DCI Code <b>2680</b>	Offense Jurisdiction (if not arresting agency)		Statute # <b>LOCAL</b>	Warr. Date <b>07/02/2014</b>			
	Charge #3		<input type="checkbox"/> Fel <input type="checkbox"/> Misd	Counts	DCI Code	Offense Jurisdiction (if not arresting agency)		Statute #	Warr. Date			
V E H I C L E	VYR	Make	Model	Style	Color	Plate #/State	VIN					
	Vehicle 1. <input type="checkbox"/> Left at Scene <input type="checkbox"/> Secured <input type="checkbox"/> Unsecured Date/Time _____ 2. <input type="checkbox"/> Released to other at owners request <input type="checkbox"/> Name of Other _____ 3. <input type="checkbox"/> Impounded <input type="checkbox"/> Place of storage _____ Inventory on File? _____											
C O N F I N E D	Date/Time Confined <b>07/02/2014 22:59:00</b>		Place Confined <b>BCDCF</b>			Committing Magistrate <b>LYNN WEBB</b>						
	Type Bond <input type="checkbox"/> Written Promise <input type="checkbox"/> Unsecured <input checked="" type="checkbox"/> Secured <input type="checkbox"/> No Bond <input type="checkbox"/> Other		Bond Amount <b>\$750.00</b>		Trial Date <b>07/30/2014 00:00</b>		Court Of <b>District</b>		City <b>MORGANTON</b>			
	Assisting Officer Name/ID # <b>0</b>			Released By (Name/Department/ID #)				Date/Time Released				
Status Codes	L - Lost   S - Stolen   R - Recovered   D - Damaged   Z - Seized   B - Burned   C - Counterfeit / Forged   F - Found											
D R U G S	DCI	Status	Quantity	Type Measure	Suspected Type		Check up to 3 types of activity for each					
							Possess	Buy	Sale	Mfg.	Importing	Operating
C O M P	Name: Complainant <input checked="" type="checkbox"/> Victim <input type="checkbox"/>				Address				Phone:			
	At 9:17 PM, our agency received a call of a noise violation at 270 Summers Road. In this call, I was advised that the caller(s) said that Richard Arney was shooting a handgun and later a shotgun. Upon arrival at 9:38 PM, I encountered Richard Arney walking from the back of the house carrying a 4" blue steel revolver held out from his body. I challenged him at gunpoint to put the weapon down, and he seemed extremely intoxicated. Finally he acknowledged me and said "Okay". He											
S T A T U S	Arresting Officer Signature/ID # <b>KISER, D. W. (K2729)</b>			Date/Time Submitted <b>07/02/2014 21:49</b>			Supervisor Signature <b>MCKINNEY, D. T.</b>					
	Case Status: <input type="checkbox"/> Further Inv. <input type="checkbox"/> Inactive <input checked="" type="checkbox"/> Closed		Case Disposition: <input checked="" type="checkbox"/> Cleared By Arrest / No Supplement Needed <input type="checkbox"/> Arrest / No Investigation			Arrestee Signature						

\*\* Continued \*\*

**ARREST REPORT (Additional Narrative)**

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Arrestee Name <b>ARNEY, RICHARD NEIL SR</b>			Arrest Number <b>105451</b>

walked to the front door and put it inside the door. I seen his hands were empty and I approached him about shooting. He claimed that he'd shot at a coyote. I told him that we'd gotten at least one call and that the neighbors were concerned. He insisted it was a coyote but I told him that after dark this was a violation of the County noise ordinance and asked if he was done shooting. He suddenly became irate and pointed to different neighbor's houses saying "That son of a bitch is a thief who stole \$70,000 worth of stuff from me." He pointed to another house and said "That one is a drug dealer."

I told Mr. Arney to just go in and keep the noise down and not to get me called back out there or we'd take further action next time. I didn't specifically mention his television but it was also loud enough to be heard from the driveway. Arney shook my hand and I left at about 9:44 PM.

At 9:49 PM, we received a call BACK to the same residence, initially called in as a possible intoxicated driver getting ready to leave, but we were advised that it was the Arney subject "revving" a motorcycle loudly and "may be leaving." We drove back (myself, Dep. Steve Grady and Dep. Dean Miller) and found the motorcycle still present but as I stopped for Dep Miller (who missed the driveway) I could hear the music from the television from the roadway. It was obviously louder than before.

I was very concerned about the firearms in the residence and knowing already Arney's extremely drunken condition. I told the officers to use cover and I'd approach the door. I knocked and held my weapon at a ready position. I could not hear any movement for the television, but noticed Arney suddenly pull a valiance back and look out. I noticed him lean over as if he put something down before opening the door. I asked him to step outside (with the intent of citing him or arresting him for this blatant violation of the noise ordinance.) He refused to. I asked him to step outside and he said he hadn't done anything. I told him I couldn't talk to him over the music and to step out and he would not. He did walk back to the television (just inside the door a few steps) and turn it off but I noticed what appeared to be a handgun on top of same. I still held my sidearm in a ready position. He came back to the door and I told him that I'd warned him about being called back and told him that I was back and asked him to open the door. He started to close the door at that point and I decided to take him into custody immediately at the door due to the presence of the next to him. I pulled the storm door which was latched but opened easily and grabbed him and told him he was under arrest, but he pulled backward. With the assistance of Dep Miller and Dep Grady we pulled him out to handcuff him. He tensed up and wouldn't release his arms. I struck him once in the back to gain compliance and we were able to handcuff him after about 20-30 seconds. Due to his high level of intoxication and the fact that neighbors said he's been shooting earlier, I seized the two firearms in plain view (a single barrel shotgun leaning against the door molding, and a blued revolver laying on the television I'd seen earlier) for safekeeping.

He was transported to the magistrate by Dep Grady and I drew the charges on him.