

STATE OF NORTH CAROLINA

CURRITUCK County

File No.

15cds 50620

In The General Court Of Justice
☐ District ☒ Superior Court Division

STATE VERSUS

Name Of Defendant

Austin Tyler Bryant

DOB

10-16-1993

Age

22

Highest Level Of Education Completed

3 years college

TRANSCRIPT OF PLEA

G.S. 15A-1022, 15A-1022.1

NOTE: Use this section ONLY when the Court is rejecting the plea arrangement.

☐ The plea arrangement set forth within this transcript is hereby rejected and the clerk shall place this form in the case file. (Applies to plea arrangements disclosed on or after December 1, 2009.)

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge

The undersigned judge, having addressed the defendant personally in open court, finds that the defendant (1) was duly sworn or affirmed, (2) entered a plea of ☐ guilty ☒ guilty pursuant to Alford decision ☐ no contest, and (3) offered the following answers to the questions set out below:

Answers

1. Are you able to hear and understand me? (1) YES
2. Do you understand that you have the right to remain silent and that any statement you make may be used against you? (2) YES
3. At what grade level can you read and write? (3) 3 years college
4. (a). Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other substances? (4a) NO
- (b). When was the last time you used or consumed any such substance? (4b) YESTERDAY
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? (5) YES
6. (a). Have you and your lawyer discussed the possible defenses, if any, to the charges? (6a) YES
- (b). Are you satisfied with your lawyer's legal services? (6b) YES
7. (a). Do you understand that you have the right to plead not guilty and be tried by a jury? (7a) YES
- (b). Do you understand that at such trial you have the right to confront and to cross examine witnesses against you? (7b) 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? (7c) YES
- (d). Do you understand that by your plea(s) you give up these and other valuable constitutional rights to a jury trial (and, if applicable, rights related to sentencing)? (7d) YES
8. Do you understand that, if you are not a citizen of the United States of America, your plea(s) of guilty or no contest may result in your deportation from this country, your exclusion from admission to this country, or the denial of your naturalization under federal law? (8) N/A
- ☒ 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? (9) yes
10. Do you understand that following a plea of guilty or no contest there are limitations on your right to appeal? (10) YES
11. 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? (11) YES

A TRUE COPY
 CLERK OF SUPERIOR COURT
 CURRITUCK COUNTY

BY Karen Jenkins
 Assistant Deputy Clerk Superior Court

12. Do you understand that you are pleading ☒ guilty ☐ no contest to the charges shown below?
(Describe charges, total maximum punishments, and applicable mandatory minimums for those charges.)

(12) YES

PLEAS									
✓	Plea*	File Number	Count No.(s)	Offense(s)	Date Of Offense	G.S. No.	F/M	CL.	#Pun. CL.
	G	15CLRS 50620	1	POSSESSION OF A SCHEDULE VI controlled substance	7-21-15	§90-95	F	I	24 months

☐ See attached AOC-CR-300A, for additional charges.

*G = Guilty
NC = No Contest

TOTAL MAXIMUM PUNISHMENT

24 months

MANDATORY MINIMUM FINES & SENTENCES (if any)

N/A

✓ NOTE TO CLERK: If this column is checked this is an added offense or reduced charge.

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

13. Do you now personally plead ☒ guilty ☐ no contest to the charges I just described?

(13) YES

14. ☐ (a) Are you in fact guilty?

(14a) —

☐ (b) (no contest plea) Do you understand that, upon your plea of no contest, you will be treated as being guilty whether or not you admit that you are in fact guilty?

(14b) —

☒ (c) (Alford guilty plea)

(1) Do you now consider it to be in your best interest to plead guilty to the charges I just described?

(14c1) YES

(2) Do you understand that, upon your "Alford guilty plea," you will be treated as being guilty whether or not you admit that you are in fact guilty?

(14c2) YES

☐ 15. (Use if aggravating factors are listed below) Have you admitted the existence of the aggravating factors shown below, have you agreed that there is evidence to support these factors beyond a reasonable doubt, have you agreed that the Court may accept your admission to these factors, and do you ☐ understand that you are waiving any notice requirement that the State may have with regard to these aggravating factors ☐ agree that the State has provided you with appropriate notice about these aggravating factors? (If so, review the aggravating factors with the defendant.)

(15) N/A

☐ 16. (Use if sentencing points are listed below) Have you admitted the existence of the sentencing points not related to prior convictions shown below, have you agreed that there is evidence to support these points beyond a reasonable doubt, have you agreed that the Court may accept your admission to these points, and do you ☐ understand that you are waiving any notice requirement that the State may have with regard to these sentencing points? ☐ agree that the State has provided you with appropriate notice about these sentencing points? (If so, review the sentencing points with the defendant.)

(16) N/A

Do you understand that you also have the right during a sentencing hearing to prove to the Court the existence of any mitigating factors that may apply to your case?

(17) YES

18. Do you understand that the courts have approved the practice of plea arrangements and you can discuss your plea arrangement with me without fearing my disapproval?

(18) YES

STATE VERSUS

File No.

15CRS 50620

Name Of Defendant

Ashley Tyler Bryant

19. Have you agreed to plead ☒ guilty ☐ no contest as part of a plea arrangement? (If so, review the terms of the plea arrangement as listed in No. 20 below with the defendant.)

(19) YES

20. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea:

PLEA ARRANGEMENT

IN RETURN FOR THE ABOVE PLEA(S), THE STATE AGREES TO VOLUNTARILY DISMISS WITH PREJUDICE ALL OTHER CHARGES CURRENTLY PENDING AGAINST THE DEFENDANT IN THESE FILE(S).

THE PARTIES AGREE THAT DEFENDANT SHALL BE SENTENCED PURSUANT TO NCJS 90-96. THE PARTIES AGREE THAT DEFENDANT SHALL RECEIVE ONE YEAR OF UNSUPERVISED PROBATION AND PERFORM 32 HOURS OF VOLUNTARY COMMUNITY SERVICE WITH PROOF PROVIDED FROM THE CHARITABLE ENTITY. THE DEFENDANT SHALL OBTAIN A SUBSTANCE ABUSE ASSESSMENT AND COMPLETE ALL ASSOCIATED TREATMENT AND ABSTAIN FROM POSSESSING OR

☒ The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript. USING ANY CONTROLLED SUBSTANCE IN VIOLATION OF ANY LAW.
☐ The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).

21. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as being your full plea arrangement?

(21) YES

22. Do you now personally accept this arrangement?

(22) YES

23. (Other than the plea arrangement between you and the prosecutor) has anyone promised you anything or threatened you in any way to cause you to enter this plea against your wishes?

(23) NO

24. Do you enter this plea of your own free will, fully understanding what you are doing?

(24) YES

25. Do you agree that there are facts to support your plea ☐ and admission to aggravating factors ☐ and sentencing points not related to prior convictions, and do you consent to the Court hearing a summary of the evidence?

(25) YES

26. Do you have any questions about what has just been said to you or about anything else connected to your case?

(26) NO

ACKNOWLEDGEMENT BY DEFENDANT

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. No one has told me to give false answers in order to have the Court accept my plea in this case. The terms and conditions of the plea as stated within this transcript, if any, are accurate.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

02-15-16

Date

2/15/16

Signature

Cathy Casey

Signature Of Defendant

Ashley Tyler Bryant

☐ Deputy CSC☒ Assistant CSC☐ Clerk Of Superior Court

Name Of Defendant (Type Or Print)

Ashley Tyler Bryant

CERTIFICATION BY LAWYER FOR DEFENDANT

I hereby certify that the terms and conditions stated within this transcript, 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 charges to which the defendant is pleading, and the aggravating and mitigating factors and prior record points for sentencing, if any.

Date

02-15-16

Name Of Lawyer For Defendant (Type Or Print)

K. Felthousen

Signature Of Lawyer For Defendant

[Signature]

CERTIFICATION BY PROSECUTOR

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

Date

02-15-16

Name Of Prosecutor (Type Or Print)

E. Davis / K. Leahy

Signature Of Prosecutor

[Signature]

A TRUE COPY
CLERK OF SUPERIOR COURT
CURRITUCK COUNTY

BY Karen Jenkins
Assistant Deputy Clerk Superior Court

PLEA ADJUDICATION

Upon consideration of the record proper, evidence or factual presentation offered, answers of the defendant, statements of the lawyer for the defendant, and statements of the prosecutor, the undersigned finds that:

1. There is a factual basis for the entry of the plea (and for the admission as to aggravating factors and/or sentencing points);
2. The defendant is satisfied with his/her lawyer's legal services;
3. The defendant is competent to stand trial;
4. ☐ The State has provided the defendant with appropriate notice as to the aggravating factors and/or points; ☐ The defendant has waived notice as to the aggravating factors and/or points; and
5. The plea (and admission) is the informed choice of the defendant and is made freely, voluntarily and understandingly.

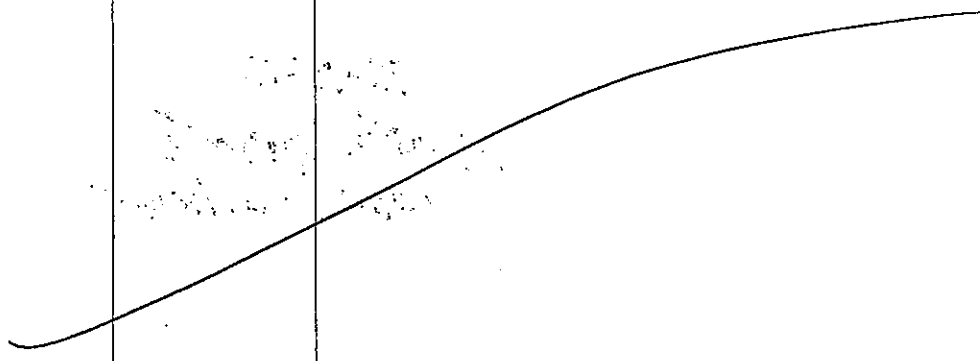
The defendant's plea (and admission) is hereby accepted by the Court and is ordered recorded.

Date 02-15-16	Name Of Presiding Judge (Type Or Print) Hon. Kenneth F. Crew	Signature Of Presiding Judge <i>Kenneth F. Crew</i>
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SUPERIOR COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

File No.	Count No.(s)	Offense(s)
15CCS 50626	1	P/W/I/S/D sch. VI C.S.
	1	Poss. marijuana paraphernalia

DISTRICT COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

File No.	Count No.(s)	Offense(s)
		

CERTIFICATION BY PROSECUTOR

The undersigned prosecutor enters a dismissal to the above charges pursuant to a plea arrangement shown on this Transcript Of Plea.

Name Of Prosecutor (Type Or Print) E. Davis / K. Leahy	Signature Of Prosecutor <i>[Signature]</i>
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A TRUE COPY

CLERK OF SUPERIOR COURT

CURRITUCK COUNTY
STATE OF NORTH CAROLINA

BY Karen Crow County
~~Assistant Deputy Clerk Superior Court~~

File No.

15CRS050620

In The General Court Of Justice
☐ District ☒ Superior Court Division

STATE VERSUS

Name And Address Of Defendant

AUSTIN TYLER BRYANT

716 CROWN DR

BARTLESVILLE

OK

74006

Social Security No.

SID No.

***-**-7465

Race

Sex

DOB

W

M

10/16/1993

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

(For Offenses Committed On Or After Dec. 1, 2009)

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	
	Prior Felony Class H or I Conviction	X 2	
	Prior Class A1 or 1 Misdemeanor Conviction (see note on reverse)	X 1	
SUBTOTAL			0

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 while the offender was:

- ☐ on supervised or unsupervised probation, parole, or post-release supervision;
☐ serving a sentence of imprisonment; or ☐ on escape from a correctional institution.

+ 1

County

File No.

State (if other than NC)

TOTAL

0

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 **I**

- ☐ 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 **I**

- ☒ 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 V 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

2-15-16

Name Of Presiding Judge (Type Or Print)

KEN CROW

Signature Of Presiding Judge

Kenneth J Crow

THE UNIVERSITY OF CHICAGO

A TRUE COPY

OFFICE OF THE CLERK OF THE
COURT OF COMMONS

IN THE MATTER OF

THE ESTATE OF

THE ESTATE OF

THE ESTATE OF

THE ESTATE OF

THE ESTATE OF

THE ESTATE OF

File No. 15 CRS 50620

CRIMINAL BILL OF COSTS

NOTE: This bill of costs does not reflect amounts you may owe outside the criminal judgment, such as a civil revocation fee or an administrative fee owed to another agency.

Court Date: 2/15/16

STATE VS. Austin Bryant

Name Of Defendant: Austin Bryant

By Date: 96-96

☐ Full Payment ☐ Partial Payment

Name(s) & Case No.(s) Of Other Defendant(s) Jointly Liable

8933 ID C263VH

TOTAL PAID 602.50

CC TENDERED 602.50

CHANGE .00

CREDIT CARD FEES NOT INCLUDED.

SEE CREDIT CARD RECEIPT FOR FEES.

22110 CO FAC FEE & CR 30.00

22500 CO OFFICER FEES 5.00

22700 FINES 250.00

21910 APP/FA-CR FEES 297.10

21912 APP/FA-CR LAA F 4.90

21700 LEOR & RF - ST 7.50

21705 LED TRNG & CRT 2.00

24681 JUD TECH & FAC 4.00

24322 STATE DNA FEE 2.00

PAYOR: BRYANT, AUSTIN

PAYEE:

CASE#: 15CRS050620 VCAP:IN

CITAH:

NO42858 02/15/16 13:14:11

Surrender License Assessment ☐

CURRITUCK COUNTY CLERK OF COURT

S&R

STATE OF NORTH CAROLINA

CURRITUCK County

In The General Court Of Justice

☐ District ☐ Superior Court Division

☐ IFC \$178 ☐ IF \$178 ☐ IFDA \$368.50

☐ CRDC \$180 ☐ CRD \$180 ☐ CRSC \$205 ☒ CRDS \$352.50 ☐ CRDA \$372.50

COSTS DUE THE STATE

☐ B - Supervised Probation ☒ U - Unsupervised

☐ N - Not Collecting Fee

REMARKS

GCJF-Magistrate	\$ 145.05	213
GCJF-District	\$ 145.05	212
GCJF-Superior	\$ 152.05	211
GCJF-Magistrate-LAA	\$ 2.45	213
GCJF-District-LAA	\$ 2.45	212
GCJF-Superior-LAA	\$ 2.45	211
LEOB-RF	\$ 7.50	217
LE Cert. & Training	\$ 2.00	217
Electronic House Arrest Fee (EHA)	\$ 90.00	243
EHA Daily Fee	\$ 250.00	242
Community Service Fee	\$ 90.00	243
SBM Sex Offender Fee	\$ 10.00	218
Chapter 20 Violation	\$ 20.00	218
Chapter 20 Violation (CRDA)	\$ 100.00	218
Impaired Driving Fee	\$ 100.00	218
Impaired Driving Fee (CRDA)	\$ 50.00	218
Improper Equipment Fee	\$ 100.00	215
Improper Equipment Fee (CRDA)	\$ 100.00	243
Limited Driving Privilege Fee	\$ 200.00	212
FTA-District	\$ 200.00	211
FTA-Superior	\$ 50.00	212
FTC-District	\$ 50.00	211
FTC-Superior	\$ 20.00	218
Installation Plan Set-up Fee	\$ 243	
DNA, Bodily Fluid, Controlled Substance Analysis	\$ 243	
State Lab (max. \$600.00)	\$ 2.00	243
Lab Analyst Exp. Wit. (max. \$600.00)	\$ 4.00	243
State DNA Fee (criminal cases only)	\$ 2.15	
State DNA Fee (criminal cases only) (CRDA)	\$ 2.15	
Priv. Hosp. Toxicol. Test (max. \$600.00)	\$ 2.15	
Priv. Hosp. Exp. Wit. (max. \$600.00.00)	\$ 2.15	

COSTS DUE THIS COUNTY

Fac Fee-Magistrate	\$ 12.00	2310
Fac Fee-District	\$ 12.00	2321
Fac Fee-Superior	\$ 30.00	2311
Proc Fee To: #Ser: #Days:	\$ 22500	
Jail Fee (Post-Trial)	\$ 22600	
Pre-Trial Release	\$ 15.00	22610
DNA, Bodily Fluid, Controlled Substance Analysis	\$ 22915	
Local Lab (max. \$600.00)	\$ 22916	
Lab Analyst Exp. Wit (max. \$600.00)	\$ 22916	

COSTS DUE THE CITY

Fac Fee-Magistrate	\$ 12.00	2331
Fac Fee-District	\$ 12.00	2321
Fac Fee-Superior	\$ 30.00	2311
Proc Fee To: #Ser: #Days:	\$ 2350	
Jail Fee (Post-Trial)	\$ 2350	
Pre-Trial Release	\$ 2360	
Local Lab (max. \$600.00)	\$ 2362	
Lab Analyst Exp. Wit (max. \$600.00)	\$ 23915	
Lab Analyst Exp. Wit (max. \$600.00)	\$ 23916	

FINES DUE THE COUNTY

\$250.00 22700

COSTS DUE OTHER COUNTIES

Proc Fee To: #Ser: #Days:	\$ 295	
Jail Fee (Post-Trial)	\$ 296	
Pre-Trial Release To Co.: #Days:	\$ 15.00	295

RESTITUTION

☐ SEE ATTACHED WORKSHEET ☐ SEE SIDE TWO

CLERK OF SUPERIOR COURT

CURRITUCK COUNTY

AOC COSTS

Appointment Fee To AOC	\$ 60.00
5.00 - 24615 / 55.00 - 24612	
Attorney's Fee And Expenses To AOC	\$ 246
Telephone And Data Fee To AOC	\$ 4.00
IFDA	\$ 8.00

OTHER COSTS

CLERK OF SUPERIOR COURT

CURRITUCK COUNTY

BY: *Debbie J. Hester* CSC

Assistant Clerk of Court

Assisted by: *Debbie J. Hester* CSC

TOTAL \$ 602.50

REMARKS

YOUNG & RUBICAM

NOTE: For each victim or aggrieved party to receive restitution, record the SSN or Taxpayer ID number on the AOC-CR-382 for the bookkeeping department. Do not place the AOC-CR-382 in the public case file, and do not give a copy to the defendant with this bill of costs.

[illegible]

STATE OF NORTH CAROLINA

File No.

15CA550620

CURRITUCK

County

CURRITUCK

Seat Of Court

In The General Court Of Justice

☐ District☒ Superior Court Division

STATE VERSUS

Name Of Defendant

AUSTIN TYLER BRYANT

Driver's License No.

5083035208

State

OK

Race

W

Sex

M

Date Of Birth

10-16-1993

Full Social Security No.

Age At Time Of Offense

22

CONDITIONAL DISCHARGE UNDER G.S. 90-96(a)
(For Offenses Committed On Or After Dec. 1, 2011)

G.S. 90-96(a)

Attorney For State

E. DAVIS / K. Leahy

☐ Def. Found
Not Indigent☐ Def. Waived
Attorney

Attorney For Defendant

K. FETHOUSEL

☐ Appointed
☒ Retained

Crt Rptr Initials

The defendant ☐ pled guilty ☒ pursuant to Alford) to ☐ was found guilty by the Court of ☐ was found guilty by a jury of ☐ pled no contest to

File No.(s)	Off.	Offense Description	Offense Date	G.S. No.	F/M	CL.
15CA550620	1	POSSESSION OF SCHEDULE VI C.S.	7-21-15	§ 90-95	F	I

FINDINGS

The Court finds

- the defendant has not previously been convicted of any felony offense under any State or federal laws, of any offense under Article 5 of Chapter 90 of the General Statutes, or any offense under any statute of the United States or any state related to those substances included in Article 5 or 5A of Chapter 90 or to that paraphernalia included in Article 5B of Chapter 90.
- the defendant pled guilty to or was found guilty of
 - a misdemeanor under Article 5 by possessing a controlled substance included within Schedules I through VI of Article 5.
 - a misdemeanor under Article 5B by possessing drug paraphernalia as prohibited by G.S. 90-113.22.
 - a felony under G.S. 90-95(a)(3).
- the defendant has not previously received a discharge and dismissal under G.S. 90-96 or G.S. 90-113.14.

DEFERRAL OF PROCEEDINGS AND PLACEMENT ON PROBATION

- The Court, without entering a judgment of guilt and with the consent of the defendant as indicated by the defendant's signature on the reverse, Orders that further proceedings in this matter be deferred and places the defendant on ☐ supervised ☒ unsupervised probation for 12 months (max. of 2 years, G.S. 15A-1342(e)) as provided for a ☐ community punishment ☐ intermediate punishment (AOC-CR-603C, Page Two, required).
- The Court finds that it is NOT appropriate to delegate to the Section of Community Corrections the authority to impose any of the requirements in G.S. 15A-1343.2(e) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment.
- The Court finds that a ☐ longer ☐ shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).
- The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)
- Upon violation of a term or condition of probation by the defendant, the Court reserves the authority to enter an adjudication of guilt and proceed as otherwise provided against the defendant. Upon fulfillment of the terms and conditions by the defendant, the Court shall discharge the defendant and dismiss the proceedings against the defendant.
- Except as ordered to appear earlier for a hearing on alleged violation(s) or as otherwise ordered by the Court, the defendant shall return to this Court on (date) _____ for a hearing to determine fulfillment of the terms and conditions of probation.

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 ☐ determined by the probation officer. ☒ set out by the court as follows:

Costs	Fine	Restitution*	Attorney's Fees	Comm Serv Fee	EHA Fee	Appt Fee/Misc	Total Amount Due
\$ 352.50	\$ 250.00	\$	\$	\$	\$	\$	\$ 602.50

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

- ☐ The Court finds just cause to waive costs, as ordered on the attached ☐ AOC-CR-618. ☐ Other: _____
- ☐ 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 training, and 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; (5) Not abscond, by willfully avoiding supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer; (6) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer; (7) 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 search 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; (8) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment; (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; (10) Submit to warrantless searches by a law enforcement officer 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.

Material opposite unmarked squares is to be disregarded as surplusage.

(Over)

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) Supply a breath, urine, or blood specimen for analysis of the possible presence of prohibited drugs or alcohol when instructed by the defendant's probation officer for purposes directly related to the probation supervision. If the results of the analysis are positive, the probationer may be required to reimburse the Division of Adult Correction for the actual costs of drug or alcohol screening and testing.

SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1)

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 32 hours of community service during the first 365 days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-708 is
☐ 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 on the reverse. ☐ within _____ days of this Conditional Discharge 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. (for offenses committed on or after December 1, 2012) Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of _____ days, ☐ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
- ☒ 19. Other:

- A SHALL NOT USE OR POSSESS ANY CONTROLLED SUBSTANCE IN VIOLATION OF ANY LAW.

- A SHALL OBTAIN A SUBSTANCE ABUSE ASSESSMENT AND FOLLOW ALL RECOMMENDED

TREATMENT. If he has completed all conditions at the end 6 months, his case can be dismissed by the State once he petitions the Court.

- ☐ 20. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603C, Page Two.

SIGNATURE OF DEFENDANT

By signing below, the defendant consents to the foregoing Order deferring further proceedings and placing the defendant on probation.

Date: 02-15-16 Signature Of Defendant: [Signature]

SIGNATURE OF JUDGE

Date: 02-15-16 Name Of Presiding Judge (type or print): Hon. Kenneth F. Crow Signature Of Presiding Judge: [Signature]

CERTIFICATION

I certify that this Conditional Discharge Under G.S. 90-96(a) and the attachment(s) marked below is a true and complete copy of the original which is on file in this case.

- ☐ 1. Judgment Suspending Sentence (AOC-CR-603C, Page Two) (additional conditions of probation)
☐ 2. Restitution Worksheet, Notice And Order (Initial Sentencing) (AOC-CR-611)
☐ 3. Additional File No.(s) And Offense(s) (AOC-CR-626)
☐ 4. Other: _____

Date: _____ Name (type or print): _____ Signature Of Clerk: _____ ☐ Deputy CSC ☐ Asst. CSC ☐ Clerk Of Superior Court SEAL

NOTE TO CLERK: Upon entry of a final order discharging the defendant and dismissing the charge(s) against him/her, forward a certified copy of this Conditional Discharge and the dismissal order (AOC-CR-622 or other order) to the Administrative Office of the Courts in the same manner as expunction orders.

TRUE COPY
SUPERIOR COURT
JAN 20 2016

Material opposite unmarked squares is to be disregarded as surplusage.