

NOTE: (If DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation)). If active sentence to MCP, use AOC-CR-602. If supervised probation, use AOC-CR-604.)

MAGISTRATE'S ORDER - MISDEMEANOR ONLY

Signature Of Magistrate/Deputy/Assistant/CSS _____ Date _____

COURT USE ONLY

Appointed Retained Waived

PRIOR CONVICTIONS: No./Level: 0 I (0) II (1-4) III (5+)

MISD. CLASS: A1 1 2 3
MISD. CLASS: A1 1 2 3
V/D

VERDICT/ guilty/resp. not guilty/resp.
FINDING: guilty/resp. not guilty/resp.

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea, on the above verdict/finding, it is ORDERED that the defendant: pay costs and a fine/penalty of \$ _____ days in custody of the sheriff. Pretrial credit _____ days served. The Court finds that a longer shorter period of probation than specified in G.S. 15A-1343.2(d) is necessary. Execution of sentence is suspended and the defendant is placed on unsupervised probation for _____ months, subject to the regular conditions of probation and the following: (1) pay costs and a fine/penalty of \$ _____; (2) not operate a motor vehicle until properly licensed by DMV; (3) complete _____ hours of community service within _____ days and pay the fee; (4) Other: _____

It is ORDERED that this: Judgment is continued upon payment of costs. case be consolidated for judgment with _____

sentence is to run at expiration of sentence in _____ The Court finds just cause to waive costs as ordered on attached AOC-CR-618. Other: _____

COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

The defendant in open court, gives notice of appeal to the Superior Court. The current pretrial release order is modified as follows: _____

Date _____ Signature Of District Court Judge _____

File No. _____

NORTH CAROLINA UNIFORM CITATION

Defendant Is To Appear In District Court

Day Of Week TH. Month 10 Day 22 Year 2020 Time 9:00 AM PM

GRAHAM NC N.C.

DL DCI Other # Of Chgs _____ Interpreter Needed SP OTS ASL

THE STATE OF NORTH CAROLINA VS.

Name Of Defendant EDDIE MOORE MERCER, JR.

Address 830 MONROE HOLT RD

City GRAHAM State NC Zip 27253

Drivers License No. 2454436 State NC CDL Class C

Race W Sex M Date Of Birth 06/19/1949 Age 71

Social Security No. Of Defendant _____ Telephone No. _____

Vehicle License No. N/A State _____

Vehicle Type Trailer Type _____ CMV _____ Haz. Mat. _____ Make _____ Year _____

Name And Telephone No. Of Defendant's Employer _____

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card) 1336

ACKNOWLEDGMENT/NONRESIDENT PERSONAL RECOGNIZANCE FOR APPEARANCE

I acknowledge receipt of this Citation and I promise to appear in the named court at the time and place designated herein to answer the charge(s). I understand that my failure to appear or to dispose of this Citation by other acceptable legal means, such as waiver, will result in my operator's license issued by my state of residence being suspended until I have done so. Also, I may go before a magistrate and make bail in lieu of my personal recognizance.

Date _____ Signature Of Defendant _____

DEPARTMENTAL USE ONLY

Officer J.A. Venz No. 806 Troop - District 1

SHP Code N.C. Patrol GRAHAM Police/Sheriff

Area B Wea. C Vis. C Traffic M Accident N/A Speed _____

On Highway No./Street Court Square Injury Or Serious Injury Passenger(s) Under 18

In Vicinity/City Of GRAHAM Near Intersection N. MAW ST.

Wit. Chemical Analyst AC Refused

The undersigned officer has probable cause to believe that on or about Monday 9:45 AM m., the 21 day of SEPT. 2020, in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area).

1. At a speed of _____ MPH in a _____ MPH zone. G.S. 20-141.77. work zone. G.S. 20-141(j2). 88. school zone. G.S. 20-141.1.

2. In forward motion without having the provided seat belt properly fastened about the defendant's body. G.S. 20-135.2A.

3. By transporting a passenger of less than 16 years of age without having the passenger in a (weight appropriate child passenger restraint system) (seat belt). G.S. 20-137.1.

4. By transporting a child of less than five years of age and less than 40 pounds in weight without the child being secured in the rear seat, when the vehicle was equipped with an active passenger-side front air bag and the vehicle had a rear seat. G.S. 20-137.1(a1).

5. While subject to an impairing substance. G.S. 20-138.1.

6. Without being licensed as a driver by the Division of Motor Vehicles of North Carolina. G.S. 20-7(a).

7. While the defendant's drivers license was revoked. G.S. 20-28(a). 33. was revoked for an impaired driving revocation as defined in G.S. 20-28.2(a). G.S. 20-28(a1).

8. While displaying an expired registration plate on the vehicle knowing the same to be expired. G.S. 20-111(2).

9. Without (displaying thereon a current approved inspection certificate) (having a current electronic inspection authorization for the vehicle), such vehicle requiring inspection in North Carolina. G.S. 20-183.8. Month Expired: _____

10. By failing to see before (starting) (stopping) (turning from a direct line) that such movement could be made in safety. G.S. 20-154.

11. By failing to stop at a duly erected (stop sign) (flashing red light). G.S. 20-158(b)(1), (b)(3).

12. By entering an intersection while a traffic signal was emitting a steady red circular light for traffic in defendant's direction of travel. G.S. 20-158(b)(2).

13. Without having in full force and effect the financial responsibility required by G.S. 20-313. The defendant was the owner of the motor vehicle that was (registered) (required to be registered) in this State. G.S. 20-313.

14. (Possess an open container of) (Consume) an alcoholic beverage in the passenger area of a motor vehicle. G.S. 20-138.7(a1). [NOTE: Strike "operate a (motor) vehicle" and "(public vehicular area)" above.]

15. Without decreasing speed as necessary to avoid colliding with a (vehicle) (person). G.S. 20-141(m).

16. DID ASSAULT & STRIKE AVOID HARMING BY SLAPPING HIS BULL HORN AND CHANGING ADDRESS VERY @ HIS PERSON

VD (PER PW; SEE REVERSE OF SHUCK)

G.S. 14-33(A)

17. And on or about the date and time shown above in the named county, the named defendant did unlawfully and willfully operate a (motor) vehicle on a (street or highway) (public vehicular area)

Date 09/24/2020 Signature Of Officer [Signature]

00017

WITNESSES

Handwritten notes and signatures in the witness section.

Name Address Phone

Handwritten entries for the first witness row.

Name Address Phone

Name Address Phone

Handwritten notes on the left side of the bottom section.

Handwritten notes and signatures in the bottom right section.

(TYPE OR PRINT IN BLACK INK)

File No.

20 CR 854

Additional File Nos.

STATE OF NORTH CAROLINA

ALAMANCE County

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

Name Of Defendant, Petitioner, Respondent
Eddie Mercer

Street Address Of Defendant, Petitioner, Respondent

Permanent Mailing Address Of Defendant, Petitioner, Respondent (If Different Than Above)

Telephone Number of Defendant, Petitioner, Respondent

[] Check here if defendant is in jail

Full Social Security No.

[] Has No Social Security No.

G.S. 7A-146(11), 7A-292(15), 7A-450, 7A-451(a), 15A-1340.23(d)

Date Of Offense

Most Serious Class Of Offense

Offense(s) (List Offense(s) Only If File No. Has Not Been Assigned)

SEE ATTACHED

INSTRUCTIONS: The Court should complete Part I. or Part II. of this form. Do not use this form for first-degree murder cases or murder cases where the degree is undesignated, except for cases where the defendant was under 18 years of age at the time of the offense, or for capital post-conviction cases or appeals to the Court of Appeals or Supreme Court. For adult first-degree murder cases or murder cases where the degree is undesignated at the trial level, the Office of Indigent Defense Services will use form AOC-CR-624. For capital post-conviction cases, the Office of Indigent Defense Services will use form AOC-CR-625. For appellate cases, the Court will use form AOC-CR-350.

I. ASSIGNMENT OF COUNSEL

From the petition heard in this matter, the affidavit made by the applicant named above, and the inquiry made by the Court, which is documented in the record, it is determined that the applicant is not financially able to provide the necessary expenses of legal representation, and (check one):

- [X] 1. is charged with a felony, a misdemeanor other than a Class 3, or a Class 3 misdemeanor that was committed before December 1, 2013, or is a petitioner or respondent in a proceeding or action listed in G.S. 7A-451(a); it is ORDERED that the applicant is indigent and is entitled to the services of counsel as contemplated by law; and that the attorney named below or the public defender in this judicial district shall provide representation.
[] 2. is charged with a Class 3 misdemeanor that was committed on or after December 1, 2013, and (check one):
[] a. the Court has found that the defendant has more than three prior convictions; it is ORDERED that the applicant is indigent and is entitled to the services of counsel as contemplated by law.
[] b. the Court has not found at this time that the defendant has more than three prior convictions, the defendant is in custody, the Court does not intend at this appearance to modify the defendant's conditions of release to allow the defendant to be released pending trial without posting a secured bond, and the defendant has a constitutional right to meaningful access to the courts; it is ORDERED that the applicant is indigent and is entitled to the services of counsel as contemplated by law; and that the attorney named below or the public defender in this judicial district shall provide representation that is limited pursuant to G.S. 15A-141(3) and 15A-143 to the time period of the applicant's pretrial confinement on the Class 3 misdemeanor charge.

It is further ORDERED that the defendant shall be represented by:

[X] the attorney named below. [] the public defender in this judicial district.

Name Of Appointed Attorney (If Applicable)

ANTHONY DILELLO

Next Court Date

12/31 B

Date

10/22/20

Signature

[Handwritten Signature]

[X] Judge [] Clerk Of Superior Court [] Asst. CSC [] Deputy CSC [] Magistrate

NOTE: A magistrate may appoint counsel if designated to do so by the Chief District Court Judge. See G.S. 7A-146(11) and G.S. 7A-292(15).

Material opposite unmarked squares is to be disregarded as surplusage.

(over)

1763

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(TYPE OR PRINT IN BLACK INK)

In The General Court Of Justice
 District Superior Court Division

File No.

06CR 854

STATE OF NORTH CAROLINA

County

Additional File Nos.

Name Of Applicant

Eddie Moore MERLEN JR

AFFIDAVIT OF INDIGENCY

G.S. 7A-450 et seq

Street Number And Street Name, Including Apartment Or Unit Number If Applicable

830 MONROE HOLT RD

Offense(s)

AEB

City, State And Zip Code

Graham NC 27253

Full Permanent Mailing Address Of Applicant (If Different Than Above)

752-290-0058

Telephone Number Of Applicant

Date Of Birth

252 290 0058

06-19-1949

Applicant: Do you have other pending criminal charge(s) in which a lawyer has been appointed? Yes No
Name Of Lawyer

Full Social Security No. Of Applicant

243-86-3472 Has No Social Security No.

Defendant Parent/Guardian/Trustee

MONTHLY INCOME (money you make)

MONTHLY EXPENSES (money you pay out)

Employment - Applicant

\$ 1,565 mo.

Number Of Dependents

0

Name And Address Of Applicant's Employer

SSI

(If not employed, state reason; if self-employed, state trade)

Shelter Buying Renting

\$ 250.00

Food (including Food Stamps)

\$ 400.00 month

Utilities

(power, water, heating, phone, cable, etc.)

\$ 220.00 month

Other Income (Welfare, Food Stamps, S/S, Pensions, etc.)

SSI \$ 1,565 mo

Health Care

\$ 120.00 month

Employment - Spouse

\$

Installment Payments

Vehicle Other

\$ 100.00 month

Name And Address Of Spouse's Employer

Car Expenses

(gas, insurance, etc.)

\$ 150.00 month

Support Payments

\$ 0

Other: (specify)

\$

Total Monthly Income

\$ 1,565 mo

Total Monthly Expenses

\$ 1,200

DESCRIPTION OF ASSETS AND LIABILITIES

ASSETS (things you own)

LIABILITIES (amounts you owe)

Cash On Hand And In Bank Accounts
(List Name Of Bank & Account No.)

WELFARE 100.00

\$

Money Owed To Or Held For Applicant

\$

Motor Vehicles (List Make, Model, Year)

07 Ford ST Bronco

(Fair Market Value)

(Balance Due)

\$

\$

Real Estate

none

(Fair Market Value)

(Balance Due)

\$

\$

Personal Property

(Fair Market Value)

(Balance Due)

\$

\$

Other Debts

Sumtrust 200.00

\$

\$

Last Income Tax Filed 2008

Refund Owe

\$

\$

Other

\$

\$

Total Assets And Liabilities

\$

\$

Bond Type

Amount

By Whom Posted

\$

NOTE: Read the notice on the reverse side before completing this form.

CIA Toleno Dec 31 B
10-

NOTICE TO PERSONS REQUESTING A COURT-APPOINTED LAWYER

1. When answering the questions on the Affidavit Of Indigency (*reverse side of this form*), please do not discuss your case with the interviewer. The interviewer can be called as a witness to testify about any statements made in his/her presence. Please wait and speak with your lawyer. Do not ask the interviewer for any advice or opinion concerning your case.
2. **A court-appointed lawyer is not free. If you are convicted or plead guilty or no contest, you may be required to repay the cost of your lawyer as a part of your sentence. The Court may also enter a civil judgment against you, which will accrue interest at the legal rate set out in G.S. 24-1 from the date of the entry of judgment. Your North Carolina Tax Refund may be taken to pay for the cost of your court-appointed lawyer. In addition, if you are convicted or plead guilty or no contest, the Court must charge you an attorney appointment fee and may enter this fee as a civil judgment against you pursuant to G.S. 7A-455.1.**
3. The information you provide may be verified, and your signature below will serve as a release permitting the interviewer to contact your creditors, employers, family members, and others concerning your eligibility for a court-appointed lawyer. A false or dishonest answer concerning your financial status could lead to prosecution for perjury. See G.S. 7A-456(a) ("A false material statement made by a person under oath or affirmation in regard to the question of his indigency constitutes a Class I felony.").

Under penalty of perjury, I declare that the information provided on this form is true and correct to the best of my knowledge, and that I am financially unable to employ a lawyer to represent me. I now request the Court to assign a lawyer to represent me in this case. I authorize the Court to contact my creditors, employers, or family members, any governmental agencies or any other entities listed below concerning my eligibility for a court-appointed lawyer.

I further authorize my creditors, employers, or family members, any governmental agencies or any other entities listed below to release financial information concerning my eligibility for a court-appointed lawyer upon request of the Court.

Governmental Agencies Or Other Entities Authorized To Be Contacted And/Or To Release Information

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME		Date 10 22 - 2020
Date 10/22/20	Signature <i>Allegis Powers</i>	Signature Of Applicant <i>Sadie M. M...</i>
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Magistrate		Name Of Applicant (Type Or Print)
<input type="checkbox"/> Notary	Date My Commission Expires	<input type="checkbox"/> Defendant <input type="checkbox"/> Parent/Guardian/Trustee <input type="checkbox"/> _____
SEAL	County Where Notarized	

NOTE: If you are less than 18 years old, or if you are at least 18 years old but remain dependent on and live with a parent or guardian, state name and address of parent, guardian or trustee below.

Name Of Parent/Guardian Or Trustee
Address
City, State, Zip