

File No. 20CR 055272		Law Enforcement Case No. ALAMANCE COUNTY SHERIFFS OFFICE	LID No.	SID No.	FBI No.
MAGISTRATE'S ORDER		STATE OF NORTH CAROLINA		In The General Court Of Justice District Court Division	
Offense I M-SECOND DEGREE TRESPASS II M-RESISTING PUBLIC OFFICER		ALAMANCE County			
THE STATE OF NORTH CAROLINA VS.					
Name And Address Of Defendant KRISTOFER WAYNE LOY 514 E HARDEN ST GRAHAM NC 27253 ALAMANCE COUNTY (336) 261-9276					
Race W	Sex M	Date Of Birth 11/22/1993	Age		
Social Security No. [REDACTED]		Drivers License No. & State 36550076 NC			
Name Of Defendant's Employer					
Offense Code(s) I 5709 II 5310		Offense In Violation Of G.S. I 14-159.13 II 14-223			
Date Of Offense 11/16/2020					
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card) 11/16/2020 2191 ucw					
Arresting Officer (Name, Address Or Department) MARK A DOCKERY JR. ALAMANCE COUNTY SHERIFFS OFFICE 109 SOUTH MAPLE ST GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6300					
Names & Addresses Of Witnesses (Including Counties & Telephone Nos.) TYLER M SMITH ALAMANCE COUNTY SHERIFFS OFFICE 109 SOUTH MAPLE ST GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6300					
<input type="checkbox"/> Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan		Date Issued 11/16/2020	Signature JEFFREY HOLLAN		Location Of Court Alamance County Courthouse; CRMB 212 W ELM ST GRAHAM, NC 27253
			<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court		Court Date 01/19/2021 Court Time 09:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM

I, the undersigned, find that the defendant named above has been arrested without a warrant and the defendant's detention is justified because 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 and willfully did without authorization remains on premises of ALAMANCE COUNTY, located at 109 S MAPLE ST - ALAMANCE COUNTY DETENTION CENTER PVA, after having been notified not to enter or remain there by a person in charge of the premises, T. SMITH.

I, the undersigned, find that the defendant named above has been arrested without a warrant and the defendant's detention is justified because 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 and willfully did resist, delay and obstruct T. SMITH, a public officer holding the office of DEPUTY SHERIFF, by FAILED TO HEED THE COMMANDS OF OFFICERS AS THEY ORDERED THE SUBJECT TO LEAVE THE PROPERTY. At the time, the officer was discharging and attempting to discharge a duty of his office by ENSURING THE SAFETY AND SECURITY OF THE ALAMANCE COUNTY DETENTION CENTER.

This act was in violation of the law referred to in this Magistrate's Order. This Magistrate's Order is issued upon information furnished under oath by the arresting officer(s) shown. A copy of this Order has been delivered to the defendant.

(over)

ORIGINAL COPY

District Attorney DPH	<input type="checkbox"/> Waived <input type="checkbox"/> Not Indigent <input type="checkbox"/> Denied	Attorney For Defendant Paulen	<input type="checkbox"/> Appointed <input checked="" type="checkbox"/> Retained	PRIOR CONVICTIONS: No./Level: 0 <input type="checkbox"/> I (0) <input type="checkbox"/> II (1-4) <input type="checkbox"/> III (5+)
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PLEA: guilty no contest _____ VERDICT: guilty **2nd deg. tres** M.C.L. A1 1 2 3
 guilty no contest _____ guilty **RESIST P10** M.C.L. A1 1 2 3
 guilty no contest _____ guilty _____ M.C.L. A1 1 2 3
 not guilty _____ not guilty _____

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict, it is **ORDERED** that the defendant: pay costs and a fine of \$ _____
 be imprisoned for a term of _____ days in the custody of the sheriff. MCP. DAC.* Pretrial credit _____ days served.
 Work release is recommended. is not recommended. [is ordered. (use form AOC-CR-602)]
 The Court finds that a longer shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary.
 Execution of the sentence is suspended and the defendant is placed on **unsupervised probation*** for _____ months, subject to the following conditions: 1. commit no criminal offense in any jurisdiction. 2. possess no firearm, explosive or other deadly weapon listed in G.S. 14-269. 3. remain gainfully and suitably employed or faithfully pursue a course of study or of 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. 5. pay to the Clerk the costs of court and any additional sums shown below.

Fine \$ 100	Restitution** \$ _____	Attorney's Fee \$ _____	Community Service Fee \$ _____	Other \$ _____
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**Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution NOTE TO CLERK: Record SSN or Tax ID No. of aggrieved party(ies) on AOC-CR-382, "Certification Of Identity (Victims' Restitution)/Certification Of Identity (Witness Attendance)."

APPEAL

- 6. complete _____ hours of community service during the first _____ days of probation, as directed by the judicial services coordinator, and pay the fee prescribed by G.S. 143B-708 within _____ days.
- 7. not be found in or on the premises of the complainant or _____.
- 8. not assault, communicate with or be in the presence of the complainant or _____.
- 9. provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319)
- 10. Other: **CONS CT 1 INTO CT 2**

APPEAL ENTRIES

- The defendant, in open court, gives notice of appeal to the District Superior Court.
- The current pretrial release order is modified as follows:
Remain the same. allowed on jail prep.

Date **5/5/21** Signature Of District Court Judge Or Magistrate _____

WAIVER OF PROBABLE CAUSE HEARING

The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.

Date Waived _____ Signature Of Defendant _____
 Signature Of Attorney _____

It is **ORDERED** that this: Judgment is continued upon payment of costs.
 case be consolidated for judgment with _____.
 sentence is to run at the expiration of the sentence in _____.

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.

PROBABLE CAUSE: Probable cause is found as to all Counts except _____, and the defendant is bound over to Superior Court for action by the grand jury. No probable cause is found as to Count(s) _____ of this Magistrate's Order and the Count(s) is dismissed.

Date **5/5/21** Name Of District Court Judge Or Magistrate (Type Or Print) **L LONY** Signature Of District Court Judge Or Magistrate _____

CERTIFICATION

I certify that this Judgment is a true and complete copy of the original which is on file in this case.

Date _____	Date Delivered To Sheriff _____	Signature _____	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> CSC
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