

Estate

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mitted a felony theft by fraud in withdrawing in excess of \$44,000 from an estate in which he, acting as fiduciary and without legal authority, taking possession of that money based upon the fraudulent assertion of guardianship of Steve Epperson at least 6 months prior to his appointment.

At the Dec. 16 hearing, Thompson's attorney, Molly Whitlatch of Greensboro, countered that the November 15, 2009 date on the receipt is a "typographical error," and that Thompson did not take control of the funds until months later, after he was appointed estate guardian.

Whitlatch said that she had documentation to back up her client's assertion, but attorney Reginald Alston, representing the Epperson siblings, countered that there were two notarized documents confirming Thompson's receiving the money when stated.

Alston then told the

court that the Winston-Salem Police Department had been asked to investigate the matter.

According to WSPD "Incident/Investigation Report" #1567012 that The Chronicle has obtained and reviewed, on December 10, 2015, attorney Alston did render an investigative complaint, taken by "Officer J. A. Henry."

Officer Henry writes in the report that on that date, he met with attorney Alston at the Public Safety Building to get the details.

"He advised that he is an attorney representing a family in reference to what he felt like was fraudulent representation of guardianship in the dispersal of a deceased person's estate," Henry wrote, adding that attorney Alston alleged that the Forsyth County Clerk of Court appointed Thompson "... to be guardian of different estates ... in violation of current laws that pertain to Estate law."

Henry continued to outline the crime Alston was alleging, writing that "Mr. Thompson received the

"He advised that he is an attorney representing a family in reference to what he felt like was fraudulent representation of guardianship in the dispersal of a deceased person's estate,"

-Officer Henry

estate 6 months prior to being appointed guardian. This is where Mr. Alston alleged that fraud had occurred."

"Mr. Alston's next contention was that an incompetent son of the last person mentioned was supposed to receive money from the father. Instead Mr. Thompson became guardian of the son and dispersed his money to different areas associated with the care of the incompetent son," Officer Henry wrote. "Mr. Alston advised that there were different family members that could have been appointed a guardian

but were not."

The significance of that last allegation was that Thompson "received a large sum for being guardian."

Officer Henry continued that another officer, "Detective Workman was already looking into this case prior to this report."

In a Dec. 17, 2015 letter to The Chronicle, Bryan Thompson's attorney, Molly Whitlatch, wrote, "As I stated in court, Bryan Thompson did not take possession of any funds of Steven Epperson's prior to the time he was appointed as guardian in April 2010.

There is a typographical error on the receipt, but the financial records show that no transfer was made until June of 2010. There was certainly no finding of fact by the court that Bryan Thompson wrongfully obtained any funds, or obtained funds prior to his guardianship appointment."

What attorney Whitlatch did not say is that the reason why Judge J. Mark Pegram, the Rockingham County Clerk of Superior Court who presided over the Dec. 16 hearing, did not issue a "finding of fact" about the alleged fraud is because that was not the primary matter before him. Nor was another allegation from attorney Alston regarding Thompson's collection of \$9,000 in commission for his work as estate guardian, also referred to in the police report.

Even though, as attorney Alston pressed the case, Judge Pegram offered to allow Bryan Thompson to take the stand and testify in his own defense, also confirming any evidence

proving his innocence of the allegations, which never happened.

So the only defense offered was an unproven claim of a typo on the receipt and alleged financial records that were not entered into evidence during the hearing, according to observers.

Judge Pegram only determined that the Eppersons' motion to have attorney Thompson "immediately" removed as estate guardian for Steven Epperson and replaced by his sister Susan was essentially moot because Thompson had been "... discharged as guardian after a final account that was audited and approved," according to attorney Whitlatch.

In other words, Thompson was no longer guardian anyway.

All other issues argued before Judge Pegram pertaining to the Epperson case were dismissed.

But the WSPD probe into the complaint filed against attorney Thompson is ongoing, attorney Alston confirmed Monday.

Rulings

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Joyner said the Republican majority of the court "... was pretty much designed to uphold the Republican legislature and promote the [GOP] principle of stacking and packing." Joyner added that established case law against using race to primarily draw voting districts still stands, and he's certain that the ruling will be reversed on appeal.

That appeal will most likely not come in time to affect the 2016 elections, Joyner agreed.

Defenders of the controversial redistricting maps, which effectively guarantee Republican legislative and congressional majorities until 2020, say the majority-black voting districts comply with the 1965 Voting Rights Act by ensuring that African-Americans are able to elect candidates from among their own ranks. But critics countered that by segregating black voters, Republican candidates were able to gain an advantage over white Democratic candidates where black Democrats had been removed.

The state Supreme Court, however, rejected that argument and upheld the GOP maps in December 2014. But in April of this year, the U.S. Supreme Court, which had gotten the case on appeal, sent it back to the state high court, instructing it to reconsider in light of how black voters were constituted in the redistricting plan. The state of Alabama had a similar controversy, and the U.S. justices ruled against them.

But after hearing arguments again last August, the North Carolina Supreme Court dismissed whatever concerns expressed by the nation's high court, and upheld for a



N.C. Supreme Court building

second time the 2011 Republican redistricting maps.

Rev. Dr. William Barber, president of the NCNAACP, was not pleased.

"This bad decision ignores the advice of the U.S. Supreme Court," Rev. Barber said in a statement. "We see it as a court decision straight down partisan line which seeks to uphold the unconstitutional racially drawn districts of the ultra-partisan extreme North Carolina legislature. A 4-3 decision. We will appeal to the U.S. Supreme Court."

Republican legislative leaders issued a reaction cheering the decision and then adding, "It's time for these left-wing groups to stop wasting taxpayer money pursuing their frivolous and politically-motivated appeals and finally accept the will of the voters."

For the three-member minority, Justice Cheri Beasley wrote the minority opinion.

"For all the complexity of VRA jurisprudence, the bottom line is that the manipulation of district lines based on race to a greater extent than necessary to comply with the VRA is unconstitutional," Justice Beasley wrote.

In its second blow to the social justice movement, the State Supreme Court vacated the rulings by a black Cumberland County Superior Court judge three years ago who commuted the death sentences of four convicted murderers to life in prison under the now defunct Racial Justice Act because there was evidence of racial bias in their prosecution.

The high court ruled that Judge Gregory Weeks erred when he didn't give prosecutors adequate time to counter arguments based on a statistic study on crimes by race in North Carolina.

That study showed that more blacks than whites were sentenced to the death

penalty in capital cases when their victims were white. The study also showed that more black jurors were removed from juries hearing capital cases involving black defendants than whites.

The Republican-led North Carolina General Assembly repealed the Racial Justice Act in 2013 after just four years.

Irv Joyner, also a law professor at NCCU School of Law, called the State Supreme Court decision "a travesty."

The Center for Death Penalty Litigation in Durham issued a statement saying, "The N.C. Supreme Court ordered new hearings in four Racial Justice Act cases because of legal technicalities, but did not overturn the key findings of these groundbreaking cases: that African-Americans have been systematically excluded from serving on capital juries, producing unfair outcomes for defendants on trial for their lives."

"We are confident that, no matter how many hearings are held or studies completed, we will win this case. The evidence of racial bias in jury selection is simply overwhelming and undeniable," said Jay Ferguson, attorney for the defendants. "All this decision will do is add more delays and cost the state millions to conduct new studies and hold new hearings. We will be throwing more taxpayer money into a hopelessly broken death penalty."

"The powerful evidence that Judge Weeks found still stands," said Ferguson. "Nothing the Supreme Court did today challenges that in any way. As a state, we cannot ignore this troubling evidence that racial bias infects the death penalty from the very beginning of the process. When we cannot even choose the jury fairly, we surely cannot ensure fair trials and outcomes for defendants facing execution."

Black

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of the General Assembly.

Spaulding has reported nine black candidates as of Tuesday.

"The 2016 Democratic primary will offer our state an historic moment of well-qualified candidates who are well prepared to serve our state in a more inclusive manner," he said.

Among them is Chris Rey who is running for Senate. In 2011 he was elected the youngest mayor in the history of Spring Lake, defeating a 30-year incumbent. He won his second term in 2013. He's served in the National Guard and Army, being deployed to Afghanistan during Operation Enduring Freedom. He is executive director of Cumberland HealthNET, a non-profit organization that helps coordinate care for the uninsured in Cumberland County.

"Faith, family and service are what animates my life and gives it meaning," Rey said in a release. "I am called to service in the United States Senate, just as I was called to service as mayor of Spring Lake and in the Army."

Linda Coleman, Ron Newton, and Robert Wilson are all vying for lieutenant governor. Coleman served as a Wake County commissioner for four years, was elected three times to the North Carolina House of Representatives and served as director of the Office of State Personnel from 2009 to 2012. She unsuccessfully ran for lieutenant governor in 2012, but did manage to get 2.1 million votes statewide.

"I'm running for lieutenant governor because I want to give North Carolina's

The candidates



Rey Blue Pankey Spaulding Coleman Wilson Newton

middle class families a fighting chance again," she said. "The Republican majority running things in Raleigh continues to unravel so much of what built our great state. It's time for a different approach."

Newton is owner of State of the Art Financial Services in Durham. He's been involved in many campaigns, including chairing the Jesse Jackson for President Committee in New York. He said he's running because he feels there's a need for new leadership in Raleigh.

"I think if we're going to have tax reform, tax reform should benefit everybody," he said.

"I think there's a number of issues that are taking us in the wrong direction."

Wilson, who resides in Cary, has a long career working in state government before he retired in 2012, including serving as Assistant Secretary of State and Chief Legislative Liaison for the Secretary of State Office. In 2012 he was awarded the North Carolina Order of the Long Leaf Pine, the highest civilian honor in the state.

Current N.C. Treasurer Janet Cowell

isn't seeking re-election and Dan Blue III of Raleigh is one of the candidates running for the seat. He is the son of state Senate Democratic leader Dan Blue, Jr. and is a lawyer who practices commercial transactions and bond financing. The responsibility of the Treasurer's department includes the state retirement systems, the state health plan, and helping fund state and local infrastructure projects.

"In short, I would be running to protect the wealth, the health and the hopes and dreams of North Carolinians," said Blue.

Henry J. Pankey, a retired Parkland assistant principal, is running for state

superintendent of public education. He has won numerous awards during his almost 40 years in education, including Durham's Principal of the Year for turning around the low-performing Southern High School. While at Parkland, he was named Assistant Principal of the Year by the

N.C. Association of Educators in 2012.

"We can collaboratively ensure students receive the world's best education in safe and orderly, high quality schools," he said on his campaign site. "Yes, we have wonderful schools, but there is much more we can achieve."

Also among the candidates are Marcus Williams, a Lumberton attorney who is running for state attorney general and Mazie Ferguson, a Greensboro pastor and former head of the Pulpit Forum ministerial alliance, who is running for commissioner of labor.

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