

Ash Break-In Defendants Bargain, Get Suspended Sentences

Four men charged with a series of break-ins in the Ash community were sentenced in Brunswick County District Court last week in plea bargain agreements.

Each received suspended sentences and were ordered to pay the victims for damages and items taken during the break-ins.

Marlin Dale Smith II, 19, of Route 1, Ash, was also ordered to spend 48 hours in the Brunswick County Jail after pleading guilty to one count of misdemeanor breaking and entering. He was given a six-month sentence, suspended for one year, and placed on unsupervised probation by Judge David G. Wall.

Smith was also ordered to pay a \$100 fine and restitution of \$450 to the Country Store on Kingtown Road in Ash where 15 video tapes were taken on Jan. 7, 1989. He was ordered not to go on the premises of the store for 12 months.

Scottie Lee Babson of Chadbourne, a student at Southeastern Community College, pleaded guilty to two counts of misdemeanor breaking and entering and larceny and no contest to one count of felonious breaking and entering and larceny.

Babson was sentenced to eight years with the sentence suspended and placed on supervised probation by Judge Jerry A. Jolly. He was ordered to pay \$247.15 to the Corner Store in Ash and \$281.50 to Ash Beverage Mart, where 16 cases of beer were stolen during a break-in last Aug. 25.

Babson must also serve 72 hours of community service, not violate any laws for two years and undergo an assessment for substance abuse.

Hilburn DeWayne Evans, 18, of Route 4, Whiteville, pleaded guilty to three counts of misdemeanor breaking and entering and larceny and one count of damage to real property.

Judge Jolly sentenced Evans to eight years with the sentence suspended. Evans was ordered to pay \$1,063 to Brunswick County for damage to Waccamaw Township District Park and \$202 and \$247.15 to the Corner Store for items taken in two break-ins there.

He must serve 72 hours of community service, undergo assessment, not violate any laws for two years, not use, possess or consume alcoholic beverages or controlled substances and submit to tests.

Kevin Ferrell Smith, 18, of Route 1, Ash, pleaded guilty to two counts of misdemeanor breaking and entering and larceny, sentenced to four years in jail, suspended, and placed on supervised probation. He must pay the Corner Store \$202 and \$247.15 in restitution.

Smith must also serve 72 hours community service, undergo assessment and not violate any laws for two years.

The four men were arrested in December by Brunswick County sheriff's detectives who discovered evidence on the defendants while working another case.

Judges Jolly and Wall also heard the following cases in District Court last week:

Herbert Frank Boone, no driver's license, no registration for vehicle, operating motor vehicle without financial responsibility, consolidated judgment, Brunswick County Jail 30 days, suspended two years, \$35 and costs, not operate motor vehicle unless properly registered, insured and properly licensed.

Darrell Carter Brown, assault by pointing a gun, Brunswick County Jail six months, suspended two years, \$25 and costs, not assault, harass or communicate threats to plaintiff for two years, not go back about premises or property of plaintiff for two years, BB gun turned over to Brunswick County Sheriff's Department within 48 hours to be destroyed or sold, Brunswick County Jail 24 hours.

Aaron Michael Burke, speeding 46 in a 35 zone, \$10 and costs.

James Edwin Carden Jr., larceny judgment, prayer for judgment continued until 3-18-91.

Michael R. Carlin, second degree trespassing, voluntarily dismissed.

Glenna Clemmons, injury to personal property, voluntarily dismissed.

Edward P. Dale, speeding 54 in a 45 zone, costs.

Laura Howard Dilly, operating motor vehicle without financial responsibility, voluntarily dismissed, valid insurance.

Anthony Duane Evans, larceny judgment, prayer for judgment continued until 3-18-91.

Wesley Stuart Gescat, no driver's license, voluntarily dismissed, valid license.

Aaron Fernie Harward, unsafe movement, costs.

Timothy J. Kennedy, larceny judgment, prayer for judgment continued until 3-18-91.

Glenn W. Lawrence, assault on a female, communicating threats, injury to personal property, all voluntarily dismissed, no plaintiff.

Frank Legare, breaking and/or entering, voluntarily dismissed, no plaintiff.

Timothy A. McComas, worthless check to Hill's for \$115.58 and worthless check/closed account to Jones, consolidated, Brunswick County Jail six months, suspended two years, restitution, costs, not issue any worthless checks for two years, pay by 5:00 p.m. on 2-22-91.

Suphonia Ann Mitchell, operating motor vehicle without financial responsibility, expired registration card/tag, no registration for vehicle, consolidated judgment, Brunswick County Jail 29 days, suspended two years, \$25 and costs, not operate motor vehicle unless properly insured and registered.

John Arnold Nunn, reckless driving/endangering, Brunswick County Jail 30 days, suspended two years, \$25 and costs.

Perita B. Price, two counts of worthless check to Jones for \$40.46, \$41.34, both voluntarily dismissed.

Ronald Robbins, two counts of simple assault, consolidated judgment, Brunswick County Jail 29 days, suspended two years, \$50 and costs, not assault, harass or communicate threats to plaintiffs for two years, not go about the person, property or place of business of either of the plaintiffs for two years.

William M. Soots Jr., assault on a female, voluntarily dismissed at request of plaintiff.

David D. Walker, driving while license revoked, Brunswick County Jail 90 days, suspended two years, \$200 and costs, not operate motor vehicle until valid license.

Loretta T. Walters, no driver's license, operating motor vehicle without financial responsibility, voluntarily dismissed, has valid license and insurance.

John Thomas Williams, injury to personal property, voluntarily dismissed, no plaintiff.

Marvin Eugene Yow, improper equipment, costs.

Tracy D. Thefeld, speeding 69 in a 55 zone, costs; aiding and abetting, voluntarily dismissed.

Michael David Cates, probation violation, admits, Brunswick County Jail six months to run at expiration of Superior Court cases.

Carolyn Williams, assault, voluntarily dismissed, no plaintiff.

Elizabeth A. Gause, assault with a deadly weapon, Brunswick County Jail 29 days, not assault, harass or threaten plaintiff in future.

Lavelle Reid Allen, expired registration card/tag, voluntarily dismissed.

Tony Curtis Bell, DWI, level 4, Brunswick County Jail 60 days, suspended two years, \$150 and costs, not operate motor vehicle until license restored, assessment and community service waived (out-of-state).

Lafayette Hewett, two counts of probation violation, probation terminated.

Clarence E. Knight, no driver's license, Brunswick County Jail 30 days, suspended two years, \$25 and costs, not operate motor vehicle until valid license.

Walter Lee Moore, DWI, prayer for judgment continued until 3-11-91 to allow defendant time to provide information where he has completed.

Michael C. Peterson, unsafe movement, voluntarily dismissed.

Kendall Miles Ramsey, no driver's license, voluntarily dismissed; simple possession Schedule VI Controlled Substance, Brunswick County Jail 29 days, suspended two years, \$50 and costs, not use, possess or consume any controlled substance unless prescribed by licensed physician and remaining in original container, marijuana seized to be destroyed by Shallotte Police Department.

Wilma Tatum, worthless checks for \$10.76, \$7.76, \$15, \$8.11 to Howards Shell Station, all voluntarily dismissed, checks paid.

George David Wray, driving while license revoked, DWI, both voluntarily dismissed.

Stonewall Autwell, probation violation out-of-county, admits, N.C. Department of Corrections two years; failure to return hired property, Brunswick County Jail six months to run concurrent with previous case sentence.

Barry Steel Adkins, speeding 64 in a 55 zone, costs.

Paul Edward Allen, one count of driving while license revoked, N.C. Department of Corrections one year, suspended two years, supervised probation two years, costs, \$200 fine, not violate any laws for two years, Brunswick County Jail 30 days; one count of driving while license revoked, N.C. Department of Corrections one year to run consecutive with previous sentence, suspended two years, supervised probation two years, costs, \$200 fine, not violate any laws for two years.

Bill Anderson, communicating threats, voluntarily dismissed, no plaintiff.

William Curtis Archer, speeding 64 in a 55 zone, costs.

Jean T. Atkinson, speeding 64 in a 55 zone, costs.

Wayne Edward Baker, improper equipment, costs.

George Palmer Barnes, speeding 64 in a 55 zone, costs.

Norbert R. Barrette, speeding 65 in a 55 zone, prayer for judgment, costs.

Cory Ellis Benton, DWI, level 5, Brunswick County Jail 60 days, suspended two years, costs, \$100 fine, surrender license, assessment, 24 hours of community service within 30 days, not violate any laws for two years.

Rudy Burnett Benton, taking game during closed season, prayer for judgment continued, \$250 fine, court recommends that wildlife commission not revoke his license, cost of court remitted.

Richard A. Bissett, speeding 64 in a 55 zone, costs.

Derald D. Boney, speeding 70 in a 55 zone, costs.

Paul A. Borszich, speeding 78 in a 55 zone, prayer for continued, costs.

Daniel C. Bramlett, hunting big game with revoked license, Brunswick County Jail 30 days, suspended two years, costs, \$50 fine, not violate any laws for two years.

Martin M. Brennan, speeding 64 in a 55 zone, costs.

Yolanda R. Brewington, speeding 60 in a 45 zone, prayer for continued, costs.

Stafford L. Brister, improper equipment, costs.

Joey Carson Brooks, possession undersized oyster, Brunswick County Jail 30 days, suspended two years, costs, \$50 fine, not violate any laws for two years. Appealed. Selling fish, shrimp and crab without dealer license, Brunswick County Jail 30 days, suspended two years, costs, \$50 fine, not violate any laws for two years. Appealed.

Kelly Marie Brown, speeding 64 in a 55 zone, costs.

Samuel Brown Jr., speeding 64 in a 55 zone, costs.

Gary W. Bruton, worthless check/closed account, voluntarily dismissed, check has been paid.

Kimberly Cotton Clark, speeding 64 in a 55 zone, costs.

Michelle M. Condon, worthless check \$200, voluntarily dismissed, check paid.

Nancy Rollins Conn, speeding 64 in a 55 zone, costs.

David Lyle Darst, no driver's license, fictitious card/tag, operating a motor vehicle without financial responsibility, consolidated judgment, Brunswick County Jail 60 days, suspended two years, costs, \$50 fine, not violate any laws for two years.

Maurice Joseph Degraw, speeding 58 in a 55 zone, costs.

James Freeman Delford, speeding 72 in a 55 zone, prayer for judgment continued, costs.

William C. Dietsche, speeding 64 in a 55 zone, costs.

Margaret Dooley, intimidation of a witness, voluntarily dismissed.

Melinda Fadeley, shining light after hours, voluntarily dismissed.

Ed Fowler, worthless check for \$235, voluntarily dismissed, check paid.

Prather Lee Freeman, speeding 75 in a 55 zone, prayer for judgment continued, costs.

Gregory Fugit, injury to real property, Brunswick County Jail six months, suspended two years, costs, restitution direct to plaintiff for damages to buildings, \$200 attorney fees, not violate any laws for two years.

Larry Glazer, three counts of worthless checks for \$3155.15, \$3155.15 and \$1,000.00, all voluntarily dismissed.

Pauline F. Harrelson, DWI, level 5, Brunswick County Jail 60 days, suspended two years, costs, \$100 fine, surrender license, assessment to Carteret County, 24 hours community service within 60 days to Carteret County, not violate any laws for two years, restitution \$100 for attorney's fees.

Richard Chiles Henry, expired registration card/tag, \$30 fine.

Michael Wayne Hewett, speeding 70 in a 55 zone, costs.

Wayne Cordell Hewett, speeding 64 in a 55 zone, costs.

William Joseph Inman, speeding 70 in a 55 zone, costs.

Thaddeus Johnson, speeding 65 in a 55 zone, costs.

David Allen Knight, speeding 64 in a 55 zone, costs.

Bill Lane, violation of court order, Brunswick County Jail 60 days or until he pays in full.

Robbie W. Lanier, speeding 85 in a 45 zone, voluntarily dismissed; reckless driving/endangering, DWI, level 4, consolidated judgment, Brunswick County Jail 120 days, suspended two years, costs, \$100 fine, surrender license, assessment, 48 hours of community service within 60 days, not violate any laws for two years.

Charles Harvey Lee, misdemeanor breaking and entering, misdemeanor larceny, consolidated judgment, N.C. Department of Corrections two years, nine days credit; three counts of misdemeanor breaking and entering, three counts of misdemeanor larceny, consolidated judgment, N.C. Department of Corrections two years to run at the expiration of first sentence, supervised probation two years; two more counts of misdemeanor breaking and entering, N.C. Department of

Corrections two years, suspended two years, supervised probation two years, costs, restitution \$225 to plaintiff, \$200 attorney fees, not violate any laws for two years.

Dana Michelle Mapson, speeding 64 in a 55 zone, costs.

Michael P. McCabe, no big game license, voluntarily dismissed.

April Sonia McKoy, speeding 54 in a 55 zone, costs.

Lois Teel Monzon, speeding 64 in a 55 zone, costs.

Jamie Moore, disorderly conduct, Brunswick County Jail 30 days, suspended two years, costs, not violate any laws for two years.

Walter Lee Moore, no driver's license, voluntarily dismissed, no plaintiff.

Ray Dean Norris, taking oysters after sunset, costs.

Robert Earl North, exceeding safe speed, costs.

Andrew Lee Owings, speeding 64 in a 55 zone, costs.

Patrick Marshall Pitts, speeding 53 in a 35 zone, prayer for judgment continued, costs; operator's license address change violation, voluntarily dismissed.

Randy Keith Poe, carrying a concealed weapon, shining light after hours, consolidated judgment, Brunswick County Jail 60 days, suspended two years, costs, not violate any laws for two years, retain by Wildlife two guns and candlelight.

Terri Martin Poe, shining light after hours, voluntarily dismissed.

Grayson Anthony Rabon, improper equipment, costs.

Demeatrus Raye, two counts of misdemeanor breaking and entering, consolidated judgment, N.C. Department of Corrections two years, suspended two years, supervised probation two years, costs, restitution \$400 to Robert Linehouse, restitution \$200 attorney fees, Brunswick County Jail four days, credit for time served, 48 hours community service within 30 days, not violate any laws for two years; one count of misdemeanor larceny, two counts of misdemeanor breaking and entering, consolidated judgment, N.C. Department of Corrections two years to run at expiration of first cases, suspended two years, supervised probation two years; breaking/entering a motor vehicle, voluntarily dismissed.

Samuel Lee Robbins, speeding 54 in a 45 zone, costs.

Dana Leigh Schroeder, speeding 69 in a 55 zone, prayer for judgment

continued, costs.

Clyde William Shepard, no operator's license, expired registration card/tag, motorcycle/moped helmet violation, consolidated judgment, Brunswick County Jail 30 days, suspended two years, costs, not violate any laws for two years, \$100 attorney fees; operating a motor vehicle without financial responsibility, voluntarily dismissed.

Cleveland T. Simmons, improper equipment, costs.

Sharon Jewel Sprinkle, speeding 68 in a 55 zone, costs.

Jesse Hoyle Swinson, speeding 64 in a 55 zone, costs.

Anthony Vereen, breaking and/or entering, voluntarily dismissed, no plaintiff, state's motion to continue denied.

Mark Louis Waple, speeding 79 in a 55 zone, prayer for judgment continued, costs.

John R. Wasterval, speeding 70 in a 55 zone, costs.

Randall Aldred Watts, shining light after hours, prayer for judgment continued, costs remitted.

James Edward Williams, no registration for vehicle, operating a motor vehicle without financial responsibility, voluntarily dismissed, has valid insurance and registration.

Scott Clyde Williams, speeding 64 in a 55 zone, costs.

Hubert Keith Wilson, speeding 70 in a 55 zone, prayer for judgment continued, costs.

Curtis M. Workman, improper equipment, costs.

Carla Bordeaux, fraudulent disposal of mortgaged property, voluntarily dismissed, settled between parties.

Craig T. Earnhardt, unsafe movement, voluntarily dismissed, insurance accepted.

Curtis Marvel Webb, probation violation, admits violation, N.C. Department of Corrections one year to run concurrently with any sentence presently serving.

Bobby Faircloth, speeding 65 in a 55 zone, prayer for judgment continued, costs.

Stewart Sanders, speeding 70 in a 55 zone, costs.

Amy E. Tesh, speeding 64 in a 55 zone, prayer for judgment continued, costs.

Dallas Triggs, possession of malt beverage under age, Brunswick County Jail 10 days, to run concurrently with any sentence presently serving.

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