

Ocean Isle Man Pleads No Contest To Slot Machine Violation

An Ocean Isle Beach businessman pleaded no contest in Brunswick County District Court last week to operating a slot machine at his local business.

However, Judge Napoleon "Poli" Barefoot Jr. ruled that one of the two machines seized from the business by N.C. Alcohol Law Enforcement agents was not a gambling device and should be returned to the defendant.

Gene Austin Hardee, 53, of East Second Street, manager of the Breakers at Ocean Isle, received a prayer for judgment continued in the case last Wednesday, Feb. 5.

Hardee and an employee, Timothy Edward Holcombe, 23, of East First Street, were both charged Sept. 12 by ALE agents for having two illegal slot machines at the business and with gambling violations inside an ABC licensed establishment.

Judge Barefoot dismissed charges against Holcombe pursuant to a plea agreement between the state and the District Attorney's office, in exchange for a plea from Hardee. A prayer for judgment means no District Court sentence will be handed down against Hardee if he avoids any future charges.

ALE agents swarmed into Brunswick County last fall in search of illegal coin-operated machines inside clubs and restaurants with ABC licenses. Several people were charged at Long Beach, Ocean Isle and Calabash after the machines were discovered.

Judge Barefoot ordered that a machine confiscated from the Breakers that is classified as a "sharp shooter" be destroyed. However, a machine classified as a "spin-out" was ordered returned to the defendant.

Hardee was ordered to pay court costs while money seized from the machines during the raid is to be turned over to ALE officers. Two other charges against Hardee, a gambling violation and owning an illegal slot machine, were dismissed.

In North Carolina, slot machines and gambling are considered illegal. Video machines that involve more chance than skill are also considered illegal if the winner receives something of value in return for playing the game, such as free games, merchandise or cash.

Judges Barefoot and D. Jack Hooks Jr. also heard the following cases for the period Feb. 3-5:

David Morris, request that suspended sentence be activated, Brunswick County Jail six months with work release Monday to Saturday 7:30 a.m. to 6:30 p.m.

Melissa D. Evans, simple assault, voluntarily dismissed.

Kaye Formyduval, second degree trespassing, injury to real property, both voluntarily dismissed, no plaintiff.

Tammy Gunderson, DWI, level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, 24 hour community service within 30 days; no driver's license, voluntarily dismissed.

Barry Luper, second degree trespassing, injury to real property, both voluntarily dismissed, no plaintiff.

William Midgley, simple possession Schedule VI Controlled Substance, motion to dismiss allowed at close of state's evidence.

Chad Roberts Newman, probation violation out-of-county, admits, suspended sentence activated, Brunswick County Jail ten days.

Barry Eugene Porter, possession with intent to manufacture marijuana, voluntarily dismissed, Grand Jury.

Roger Shonosky, second degree trespassing, Brunswick County Jail 10 days, suspended sentence two years, not go about any premises owned or occupied by plaintiff in

future, not communicate with, assault, harass or threaten plaintiff in future, costs.

Kevin Paul Smith, breaking and/or entering, voluntarily dismissed, Grand Jury.

Thomas R. Vanover, injury to personal property, prayer for judgment continued and costs; communicating threats, voluntarily dismissed.

Danny E. Watkins Jr., two counts of motion to determine restitution, consolidated, under supervision of his probation, restitution a \$309.05 to Lorretta Lovett, \$103 to Brunswick Hospital.

Michael Mathews, improper equipment, \$25 and costs.

Thomas W. Page, improper equipment \$25 and costs.

Alexander Adams, probation violation out-of-county, suspended sentence activated, Brunswick County Jail 30 days. Appealed.

William S. Benbow, improper equipment, \$25 and costs.

Gloria J. Benson, two counts of simple assault, prayer for judgment continued, not go about, communicate with, assault, harass or threaten plaintiff or Richard Zamora for two years, costs remitted.

Harry Benson, communicating threats, dismissed at close of state's evidence.

Angela B. Benton, driving while license suspended/revoked not permanent, voluntarily dismissed, defendant complied.

James Preston Bland, failure to reduce speed, voluntarily dismissed, insurance paid.

Aaron Michael Burke, speeding 54 in a 45 zone, \$45 and costs.

Regina Lynn Connor, owning and operating vehicle with no insurance, voluntarily dismissed.

Larry Cross, communicating threats, prayer for judgment continued and costs, not go about, communicate with, assault, harass or threaten plaintiff in future.

Elijah H. Frink, DWI, level 5, Brunswick County Jail 60 days, suspended sentence 12 months, supervised probation 12 months, \$100 and costs, surrender license, assessment, 24 hours of community service within 30 days; reckless driving to endanger, voluntarily dismissed.

Godfrey L. Hankins, speeding 64 in a 55 zone, \$45 and costs.

Elizabeth F. Haupt, speeding 64 in a 55 zone, \$45 and no costs.

Lori Ann Hutchins, speeding 70 in a 55 zone, prayer for judgment continued and costs.

Sharod D. James, speeding 64 in a 55 zone, \$45 and costs.

Amy Renae Johnson, speeding 45 in a 35 zone, voluntarily dismissed; DWI, level 5, Brunswick County Jail 60 days, suspended sentence two years, unsupervised probation two years, surrender license, \$100 and costs, assessment, 24 hours of community service within 30 days.

Mary W. Lewis, speeding 64 in a 55 zone, \$45 and costs.

Allen Ladd Locklear, speeding 69 in a 55 zone, DWI, consolidated judgment, level 1, N. C. Department of Corrections two years, suspended sentence two years, supervised probation two years, not operate motor vehicle until valid license, \$500 and costs, assessment, Robeson County Jail 14 days within 75 days—served on weekends set by probation officer, report all time set by probation officer and report sober and submit to test; driver license suspended/re-

voked, not permanent, voluntarily dismissed.

Jack Loveiace, shoplifting concealment of goods, prayer for judgment continued, not go on or about premises of Scotchman for two years, costs.

Thurston Lynch Jr., two counts of assault by pointing a gun, both voluntarily dismissed, no plaintiff.

Angela Phillips Mack, DWI, level 5, Brunswick County Jail 60 days, suspended sentence two years, surrender license, \$100 and costs, Brunswick County Jail 24 hours to begin Saturday 2-8-92 at 9:00 a.m. in lieu of community service, assessment.

Robert Carl Maloni, speeding 64 in a 55 zone, \$45 and costs.

David Lee Mangis, speeding 64 in a 55 zone, \$45 and costs.

Michael A. Martin, speeding 70 in a 55 zone, \$45 and costs.

Michael N. McKinney, reckless driving to endanger, failure to report accident, both voluntarily dismissed.

Cassandra D. Mitchell, no driver's license, Brunswick County Jail 24 hours, suspended sentence two years, \$25 and costs.

James Nance, communicating threats, Brunswick County Jail 10 days, suspended sentence two years, not carry any weapons about or around plaintiff or his son, not communicate with plaintiff or his son for two years, costs.

Gary Wayne Neal, no operator's license, prayer for judgment continued and costs.

James Allen Parker, speeding 64 in a 55 zone, \$45 and costs.

Adrian Kenneth Seldon, speeding 64 in a 55 zone, \$45 and costs.

George Alfonso Siler, driving without rear lamps, voluntarily dismissed, complied.

Jimmie Lee Speck, speeding 69 in a 55 zone, no operator's license, \$45 and costs.

Lynne A. Wiegman, speeding 67 in a 55 zone, prayer for judgment continued and costs.

Boris Eugene Williams, improper equipment, \$25 and costs.

Joseph M. Williams, speeding 64 in a 55 zone, \$45 and costs.

Teresa J. Artz, speeding 64 in a 55 zone, \$45 and costs.

Christopher Bassetti, reckless driving to endanger, purchasing/possessing alcohol underage, failure to stop for blue light, speeding to elude arrest, all voluntarily dismissed; driving after drink-provisional license, Brunswick County Jail 60 days, suspended sentence one year, \$75 and costs, not operate motor vehicle until licensed by Department of Motor Vehicles, not violate any laws for one year.

Tara V. Bress, speeding 70 in a 55 zone, \$45 and costs.

Michael J. Buck, speeding 72 in a 55 zone, Brunswick County Jail one day, credit for time served.

Vickie D. Bullard, failure of passenger less than 16 to wear seat belt, voluntarily dismissed; speeding 69 in a 55 zone, failure to wear seat belt-driver, prayer for judgment continued and costs.

James Lucas Burns, no operator's license, prayer for judgment continued and costs.

Billy Newman Caison, two counts of domestic criminal trespassing, both voluntarily dismissed at request of plaintiff.

Frances S. Cartrette, failure to reduce speed, voluntarily dismissed, insurance paid.

Jonathan G. Clemmons, improper equipment, \$25 and costs.

Elmer Creech, improper equipment, \$25 and costs.

William Earl Cribb, DWI, level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment, Brunswick County Jail 24 hours to begin on 2-15-92 at 9:00 a.m. in lieu of community service, submit to test.

Gladys Y. Ennis, improper equipment, \$25 and costs.

Benjamin L. Fowler, speeding 64 in a 55 zone, \$45 and costs; inspection violation, voluntarily dismissed.

Corene S. Freeman, speeding 64 in a 55 zone, \$45 and costs.

Johnnie James Grady, speeding 60 in a 45 zone, \$45 and costs.

Billy K. Hamilton, DWI, level 5, Brunswick County Jail 60 days, suspended sentence two years, \$100 and costs, surrender license, assessment to Mecklenburg County, 24 hours of community service within 30 days to Mecklenburg County, submit to test.

Godfrey L. Hankins, simple possession Schedule VI Controlled Substance, Brunswick County Jail 30 days, suspended sentence one year, \$100 and costs, assessment for substance abuse, submit to test, not use, possess or consume any illegal drugs, not associate with any previous users or convicts; possession with intent to manufacture/sell/deliver cocaine, voluntarily dismissed.

Johnny Ray Hester, fictitious information to officer, voluntarily dismissed; speeding 68 in a 55 zone, no operator's license, consolidated judgment, Brunswick County Jail 60 days, suspended sentence one year, \$45 and costs, not operate motor vehicle until valid license, not violate any laws for one year.

Michael David Huskey, improper equipment, \$25 and costs.

James Ioanes, aiding underage to purchase beer, voluntarily dismissed, no plaintiff.

Robert Edward James, speeding 64 in a 55 zone, \$45 and costs.

Bevin Grant Johnson, DWI, motion to dismiss allowed at close of state's evidence.

Donald Gene Johnson, speeding 64 in a 55 zone, \$45 and costs.

Willie C. Johnson, simple worthless check to Express Stop for \$15.48, Brunswick County Jail 30 days, suspended sentence one year, restitution to plaintiff, cost (1), not violate any laws for one year; simple worthless check to Hills for \$20, Brunswick County Jail 30 days to run at expiration of previous case,

suspended sentence one year, restitution, not violate any laws for one year; simple worthless check to Hills for \$6.44, Brunswick County Jail 30 days to run at expiration of previous cases, suspended sentence one year, restitution, not violate any laws for one year; simple worthless check to Hills for \$5.00, Brunswick County Jail 30 days to run at expiration of previous cases, suspended sentence one year, restitution, not violate any laws for one year; simple worthless check to Hills for \$3.24, Brunswick County Jail 30 days to run at expiration of previous cases, suspended sentence one year, restitution, not violate any laws for one year.

Yvonne Marie King, unlawful possession alcoholic beverage, Brunswick County Jail 60 days, suspended sentence one year, \$25 and costs, not violate any laws for one year, not operate any type of establishment or sell any alcoholic beverage on any establishment not properly licensed.

Bryant Keith Lewis, improper equipment, \$25 and costs.

Carlie Ray Luck, speeding 60 in a 45 zone, prayer for judgment continued and costs.

William Dean Marlowe, improper equipment, \$25 and costs.

Belinda H. Marteny, speeding 64 in a 55 zone, \$45 and costs.

Joseph Edward Mathis, speeding 69 in a 55 zone, prayer for judgment continued and costs.

Waylon Gale McGee Jr., speeding 70 in a 55 zone, \$45 and costs.

Tony Moran Norris, speeding 64 in a 55 zone, \$45 and costs.

Donna Lane Quinn, improper equipment, \$25 and costs.

Jerry D. Porter, speeding 64 in a 55 zone, \$45 and costs.

Poonsit Potijinda, expired registration card/tag, voluntarily dismissed.

Eloise Radford, injury to real property, first degree trespassing, both voluntarily dismissed; harassing phone call, N. C. Department of Corrections six months, suspended sentence one year, not go back around or have any contact with plaintiff for one year, not violate any laws for one year.

Iawanda Y. Radford, speeding 72 in a 55 zone, prayer for judgment continued and costs.

Jennifer Carol Rakes, speeding 64 in a 55 zone, \$45 and costs.

Troy Henry Reilly, speeding 64 in a 55 zone, \$45 and costs.

Terry Lee Richard, unsafe movement, \$10 and costs.

Carl Keith Skipper, improper equipment \$25 and costs.

Bryant Cott Sowash, speeding 69 in a 55 zone, prayer for judgment continued and costs.

Christopher A. Suiter, speeding 69 in a 55 zone, prayer for judgment continued and costs.

Robert M. Terrell, speeding 64 in a 55 zone, \$45 and costs.

Julia H. Thronburg, speeding 64 in a 55 zone, \$45 and costs.

Mildred Shelton Trent, speeding 64 in a 55 zone, \$45 and costs.

Janet B. Watson, speeding 70 in a 55 zone, prayer for judgment continued and costs.

Carolyn S. Wiggins, shoplifting/concealment of goods, voluntarily dismissed, no plaintiff.

Sarah H. Williamson, purchasing unfortified/wine from a retailer, prayer for judgment continued and costs.

James Michael Willis, speeding 69 in a 55 zone, prayer for judgment continued and costs.

Kristy B. Reeves, possession of spirituous liquor under 19 yrs. of age, voluntarily dismissed.

Kimberly Masters, probation violation, admits, pay full restitution today, court order that probation be terminated; worthless check for \$22.65 to Jones, worthless check to Jones for \$31.45, consolidated judgment, Brunswick County Jail 30 days, suspended sentence one year, restitution, costs remitted.

Hazel Smith, probation violation, request probation be revoked, N. C. Department of Corrections 120 days.

Clarifications

The Heath Babson listed in the court docket printed in the Jan. 30 issue of The Brunswick Beacon is not the Heath Babson of Route 2, Bolivia, who is now with the U.S. Marine Corps, stationed at New River Air Station at Camp Lejeune.

Also, the Billy Henry Jones listed in the same court docket of the Jan. 30 issue is not the Billy Jones of Route 1, Box 92, Ash.

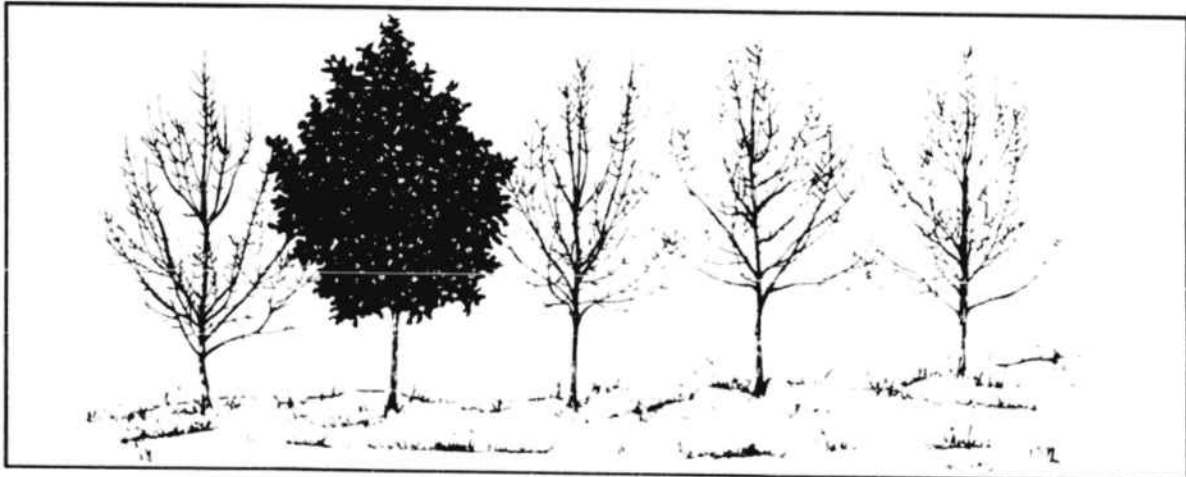
Both defendants have addresses listed as N.C. 130, Ash, according to documents on file at the Brunswick County Clerk of Court's office. They were sentenced for misdemeanor larceny, breaking and entering and cruelty to animals.

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