

STATE OF NORTH CAROLINA

COUNTY OF MOORE

STATE OF NORTH CAROLINA

VS.

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

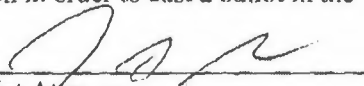
FILE NO: 15CRS ~~15CR~~00512

INDICTMENT

BRONWYN LOUISA JOHNSON,  
Defendant.

OFFENSE: I. VOTER REGISTRATION FRAUD  
OFFENSE IN VIOLATION OF: I. G.S. 163-275(4) and (5)  
DATE OF OFFENSE: NOVEMBER 4, 2014

I. THE JURORS FOR THE STATE, upon their oath present that on or about the date of offense shown and in the county named above, the defendant named above unlawfully, willfully and feloniously did swear falsely on her North Carolina Voter Registration Application that she had completed her sentence, including any probation or parole, for her felony conviction of possession of cocaine from September 19, 2014, in the Moore County District Court (14CR051694) when in fact the defendant had not completed her probationary sentence on November 4, 2014 when she completed said application in order to cast a ballot in the November 2014 General Election.

  
District Attorney

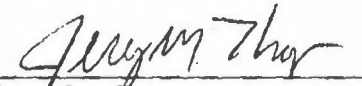
WITNESSES:

✓  
K. Dennis - MCDA

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and after hearing testimony, this bill was found to be:

✓  
A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreman of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

NOT A TRUE BILL.

  
Grand Jury Foreman

DATE: 3-16-15

STATE OF NORTH CAROLINA  
COUNTY OF MOORE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 15CRS51426

STATE OF NORTH CAROLINA

VS.

INDICTMENT

BRONWYN LOUISA JOHNSON,  
Defendant

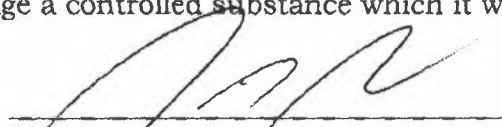
OFFENSE: I. POSSESSION OF COCAINE  
II. POSSESSION OF DRUG PARAPHERNALIA

OFFENSE IN VIOLATION OF: G.S. 90-95(a)(3); 90-113.22

DATE OF OFFENSE: MAY 29, 2015

I. THE JURORS FOR THE STATE upon their oath present that on or about the date of offense shown and in the county named above, the defendant named above unlawfully and willfully did possess a controlled substance, to wit: cocaine, which is included in Schedule II of the North Carolina Controlled Substances Act;

II. AND THE JURORS FOR THE STATE upon their oath present that on or about the date of offense shown and in the county named above, the defendant named above unlawfully and willfully did knowingly possess with intent to use drug paraphernalia, to wit: Brillo material, used to process, contain and introduce into the body a controlled substance other marijuana and used to store and package a controlled substance which it would be unlawful to possess.

  
District Attorney

WITNESSES:

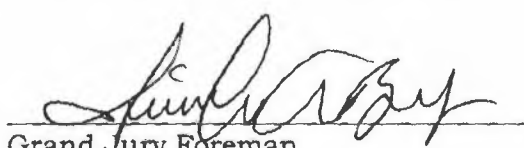
X

W. Morgan - MCSO

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and after hearing testimony, this bill was found to be:

X A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreman of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

\_\_\_\_ NOT A TRUE BILL.

  
Grand Jury Foreman

DATE : 06 July 2015

# STATE OF NORTH CAROLINA

MOORE

County

File No.

15CR51426

In The General Court Of Justice

☒ District ☐ Superior Court Division

## STATE VERSUS

Defendant Name

BRONWYN JOHNSON

## DISMISSAL

### NOTICE OF REINSTATEMENT

(For Offenses Committed On Or After Dec. 1, 2013)

G.S. 15A-302(e), -931, -932

File Number

15CR51426

Count No.(s)

2

Offense(s)

Poss. Marijuana para.

## ☒ DISMISSAL

**NOTE:** Recall all outstanding Orders For Arrest in a dismissed case.

The undersigned prosecutor enters a dismissal to the above charge(s) and assigns the following reasons:

- ☐ 1. No crime is charged.  
☐ 2. There is insufficient evidence to warrant prosecution for the following reasons:

- ☐ 3. Defendant has agreed to plead guilty to the following charges:

in exchange for a dismissal of the following charges:

- ☒ 4. Other: (specify) ☐ See additional information on reverse.

Defendant indicted on related charges

A jury has not been impaneled nor has evidence been introduced. (If a jury has been impaneled, or if evidence has been introduced, modify this sentence accordingly.)

## ☐ DISMISSAL WITH LEAVE

The undersigned prosecutor enters a dismissal with leave to the above charge(s) and assigns the following reasons:

- ☐ 1. The defendant failed to appear for a criminal proceeding at which the defendant's attendance was required and the prosecutor believes that the defendant cannot readily be found.  
☐ 2. The defendant has been indicted and cannot readily be found to be served with an Order For Arrest.  
☐ 3. The defendant has entered into a deferred prosecution agreement with the prosecutor in accordance with the provisions of Article 82 of G.S. Chapter 15A.  
☐ 4. Other: (specify) ☐ See additional information on reverse.

**NOTE:** This form must be completed and signed by the prosecutor when the dismissal occurs out of court. The better practice is for the prosecutor to complete and sign the form when the charges are orally dismissed in open court.

Also, in accordance with G.S. 15A-931(a1), unless the defendant or the defendant's attorney has been otherwise notified by the prosecutor, a written dismissal of the charges against the defendant must be served in the same manner prescribed for motions under G.S. 15A-951. If the record reflects that the defendant is in custody, the written dismissal shall also be served by the prosecutor on the chief officer of the custodial facility where the defendant is in custody.

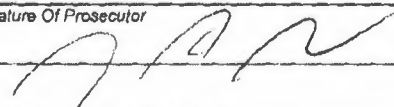
Date

07/06/2015

Name Of Prosecutor (Type Or Print)

Craig Slagle

Signature Of Prosecutor



## ☐ REINSTATEMENT

This case, having previously been dismissed with leave as indicated above, is now reinstated for trial.

Date

Name Of Prosecutor (Type Or Print)

Signature Of Prosecutor

(Over)

AOC-CR-307B, New 12/13

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**ADDITIONAL INFORMATION PERTAINING TO DISMISSAL**

The undersigned prosecutor provides the following additional information pertaining to the dismissal entered on the reverse:

|      |                                    |                         |
|------|------------------------------------|-------------------------|
| Date | Name Of Prosecutor (Type Or Print) | Signature Of Prosecutor |
|------|------------------------------------|-------------------------|

**STATE OF NORTH CAROLINA**

MOORE County

File No.

15CR357426

In The General Court Of Justice

☐ District ☒ Superior Court Division

**STATE VERSUS**

Defendant Name

Bronwyn L. Johnson

**DISMISSAL**

**NOTICE OF REINSTATEMENT**

(For Offenses Committed On Or After Dec. 1, 2013)

G.S. 15A-302(e), -931, -932

File Number

Count No.(s)

Offense(s)

PDP

☒ **DISMISSAL**

**NOTE:** Recall all outstanding Orders For Arrest in a dismissed case.

The undersigned prosecutor enters a dismissal to the above charge(s) and assigns the following reasons:

- ☐ 1. No crime is charged.
- ☐ 2. There is insufficient evidence to warrant prosecution for the following reasons:

- ☐ 3. Defendant has agreed to plead guilty to the following charges:

in exchange for a dismissal of the following charges:

- ☐ 4. Other: (specify) ☐ See additional information on reverse.

A jury has not been impaneled nor has evidence been introduced. (If a jury has been impaneled, or if evidence has been introduced, modify this sentence accordingly.)

☐ **DISMISSAL WITH LEAVE**

The undersigned prosecutor enters a dismissal with leave to the above charge(s) and assigns the following reasons:

- ☐ 1. The defendant failed to appear for a criminal proceeding at which the defendant's attendance was required and the prosecutor believes that the defendant cannot readily be found.
- ☐ 2. The defendant has been indicted and cannot readily be found to be served with an Order For Arrest.
- ☐ 3. The defendant has entered into a deferred prosecution agreement with the prosecutor in accordance with the provisions of Article 82 of G.S. Chapter 15A.
- ☐ 4. Other: (specify) ☐ See additional information on reverse.

**NOTE:** This form must be completed and signed by the prosecutor when the dismissal occurs out of court. The better practice is for the prosecutor to complete and sign the form when the charges are orally dismissed in open court.

Also, in accordance with G.S. 15A-931(a1), unless the defendant or the defendant's attorney has been otherwise notified by the prosecutor, a written dismissal of the charges against the defendant must be served in the same manner prescribed for motions under G.S. 15A-951. If the record reflects that the defendant is in custody, the written dismissal shall also be served by the prosecutor on the chief officer of the custodial facility where the defendant is in custody.

Date

7/21/15

Name Of Prosecutor (Type Or Print)

STRICKLAND/MCSWEENEY/SLAGLE

Signature Of Prosecutor

☐ **REINSTATEMENT**

This case, having previously been dismissed with leave as indicated above, is now reinstated for trial.

Date

Name Of Prosecutor (Type Or Print)

Signature Of Prosecutor

(Over)

**ADDITIONAL INFORMATION PERTAINING TO DISMISSAL**

The undersigned prosecutor provides the following additional information pertaining to the dismissal entered on the reverse:

*Date*

*Name Of Prosecutor (Type Or Print)*

*Signature Of Prosecutor*

# STATE OF NORTH CAROLINA

File No.

MOORE

County

In The General Court Of Justice

☐ District ☒ Superior Court Division

## STATE VERSUS

Name Of Defendant

BRONWYN LOUISA JOHNSON

DOB

09/30/1963

Age

52

Highest Level Of Education Completed

2 yrs. College

## TRANSCRIPT OF PLEA

G.S. 15A-1022, 15A-1022.1

**NOTE:** Use this section **ONLY** when the Court is rejecting the plea arrangement.

☐ The plea arrangement set forth within this transcript is hereby rejected and the clerk shall place this form in the case file. (Applies to plea arrangements disclosed on or after December 1, 2009.)

Date

Name Of Presiding Judge (Type Or Print)

Signature Of Presiding Judge

The undersigned judge, having addressed the defendant personally in open court, finds that the defendant (1) was duly sworn or affirmed, (2) entered a plea of ☒ guilty ☐ guilty pursuant to *Alford* decision ☐ no contest, and (3) offered the following answers to the questions set out below:

### Answers

1. Are you able to hear and understand me? (1) YES
2. Do you understand that you have the right to remain silent and that any statement you make may be used against you? (2) YES
3. At what grade level can you read and write? (3) College
4. (a). Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other substances? (4a) NO  
(b). When was the last time you used or consumed any such substance? (4b) 53 days
5. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge? (5) YES
6. (a). Have you and your lawyer discussed the possible defenses, if any, to the charges? (6a) YES  
(b). Are you satisfied with your lawyer's legal services? (6b) YES
7. (a). Do you understand that you have the right to plead not guilty and be tried by a jury? (7a) YES  
(b). Do you understand that at such trial you have the right to confront and to cross examine witnesses against you? (7b) YES  
(c). Do you understand that at a jury trial you have the right to have a jury determine the existence of any aggravating factors that may apply to your case (and, if applicable, additional sentencing points not related to prior convictions) beyond a reasonable doubt? (7c) YES  
(d). Do you understand that by your plea(s) you give up these and other valuable constitutional rights to a jury trial (and, if applicable, rights related to sentencing)? (7d) YES
8. Do you understand that, if you are not a citizen of the United States of America, your plea(s) of guilty or no contest may result in your deportation from this country, your exclusion from admission to this country, or the denial of your naturalization under federal law? (8) YES
- ☒ 9. Do you understand that upon conviction of a felony you may forfeit any State licensing privileges you have in the event that you refuse probation or that your probation is revoked? (9) YES
10. Do you understand that following a plea of guilty or no contest there are limitations on your right to appeal? (10) YES
11. Do you understand that your plea of guilty may impact how long biological evidence related to your case (for example, blood, hair, skin tissue) will be preserved? (11) YES

(Over)

12. Do you understand that you are pleading ☒ guilty ☐ no contest to the charges shown below?  
(Describe charges, total maximum punishments, and applicable mandatory minimums for those charges.)

(12) YES

| PLEAS |       |             |              |                          |                 |             |     |     |                    |
|-------|-------|-------------|--------------|--------------------------|-----------------|-------------|-----|-----|--------------------|
| ✓     | Plea* | File Number | Count No.(s) | Offense(s)               | Date Of Offense | G.S. No.    | F/M | CL. | Maximum Punishment |
|       | G     | 15CRS51426  | 1            | POSSESS COCAINE          | 05/29/2015      | 90-95(a)(3) | F   | 1   | 24 MOS             |
|       | G     | 15CRS512    | 1            | VOTER REGISTRATION FRAUD | 11/04/2014      | 163-275(4)  | F   | 1   | 24 MOS             |

☐ See attached AOC-CR-300A, for additional charges.

\*G = Guilty GA = Alford plea  
NC = No Contest

**TOTAL MAXIMUM PUNISHMENT**

48 MOS

**MANDATORY MINIMUM FINES & SENTENCES (if any)**

✓ **NOTE TO CLERK:** If this column is checked this is an added offense or reduced charge.

‡ **NOTE:** Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).

13. Do you now personally plead ☒ guilty ☐ no contest to the charges I just described? (13) YES

14. ☒ (a) Are you in fact guilty? (14a) YES

☐ (b) (no contest plea) Do you understand that, upon your plea of no contest, you will be treated as being guilty whether or not you admit that you are in fact guilty? (14b) N/A

☐ (c) (Alford guilty plea)

(1) Do you now consider it to be in your best interest to plead guilty to the charges I just described? (14c1) N/A

(2) Do you understand that, upon your "Alford guilty plea," you will be treated as being guilty whether or not you admit that you are in fact guilty? (14c2) N/A

☐ 15. (Use if aggravating factors are listed below) Have you admitted the existence of the aggravating factors shown below, have you agreed that there is evidence to support these factors beyond a reasonable doubt, have you agreed that the Court may accept your admission to these factors, and do you ☐ understand that you are waiving any notice requirement that the State may have with regard to these aggravating factors ☐ agree that the State has provided you with appropriate notice about these aggravating factors? (If so, review the aggravating factors with the defendant.) (15) N/A

☒ 16. (Use if sentencing points are listed below) Have you admitted the existence of the sentencing points not related to prior convictions shown below, have you agreed that there is evidence to support these points beyond a reasonable doubt, have you agreed that the Court may accept your admission to these points, and do you ☒ understand that you are waiving any notice requirement that the State may have with regard to these sentencing points ☐ agree that the State has provided you with appropriate notice about these sentencing points? (If so, review the sentencing points with the defendant.) (16) YES

THE DEFENDANT WAS ON PROBATION AT THE TIME OF THE COMMISSION OF SAID OFFENSE.

17. Do you understand that you also have the right during a sentencing hearing to prove to the Court the existence of any mitigating factors that may apply to your case? (17) YES

18. Do you understand that the courts have approved the practice of plea arrangements and you can discuss your plea arrangement with me without fearing my disapproval? (18) YES

## STATE VERSUS

File No.

Name Of Defendant

BRONWYN LOUISA JOHNSON

19. Have you agreed to plead ☒ guilty ☐ no contest as part of a plea arrangement? (If so, review the terms of the plea arrangement as listed in No. 20 below with the defendant.) (19) YES
20. The prosecutor, your lawyer and you have informed the Court that these are all the terms and conditions of your plea:

## PLEA ARRANGEMENT

THE CHARGES ARE TO BE CONSOLIDATED FOR ENTRY OF JUDGMENT.

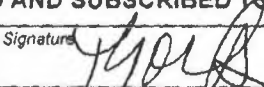
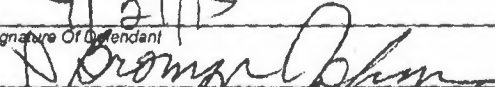
- ☒ The State dismisses the charge(s) set out on Page Two, Side Two, of this transcript.
- ☐ The defendant stipulates to restitution to the party(ies) in the amounts set out on "Restitution Worksheet, Notice And Order (Initial Sentencing)" (AOC-CR-611).

21. Is the plea arrangement as set forth within this transcript and as I have just described it to you correct as being your full plea arrangement? (21) YES
22. Do you now personally accept this arrangement? (22) YES
23. (Other than the plea arrangement between you and the prosecutor) has anyone promised you anything or threatened you in any way to cause you to enter this plea against your wishes? (23) NO
24. Do you enter this plea of your own free will, fully understanding what you are doing? (24) YES
25. Do you agree that there are facts to support your plea ☐ and admission to aggravating factors ☒ and sentencing points not related to prior convictions, and do you consent to the Court hearing a summary of the evidence? (25) YES
26. Do you have any questions about what has just been said to you or about anything else connected to your case? (26) No

## ACKNOWLEDGEMENT BY DEFENDANT

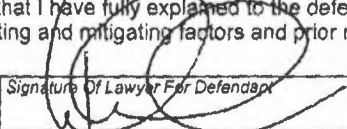
I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. No one has told me to give false answers in order to have the Court accept my plea in this case. The terms and conditions of the plea as stated within this transcript, if any, are accurate.

## SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

|                                                |                                                                                                  |                                                  |                                                                                                                |
|------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Date<br>7/2/15                                 | Signature<br> | Date<br>7/2/15                                   | Signature Of Defendant<br> |
| <input checked="" type="checkbox"/> Deputy CSC | <input type="checkbox"/> Assistant CSC                                                           | <input type="checkbox"/> Clerk Of Superior Court | Name Of Defendant (Type Or Print)<br>BRONWYN LOUISA JOHNSON                                                    |

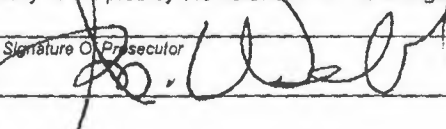
## CERTIFICATION BY LAWYER FOR DEFENDANT

I hereby certify that the terms and conditions stated within this transcript, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charges to which the defendant is pleading, and the aggravating and mitigating factors and prior record points for sentencing, if any.

|                |                                                               |                                                                                                                           |
|----------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Date<br>7/2/15 | Name Of Lawyer For Defendant (Type Or Print)<br>EDDIE MEACHAM | Signature Of Lawyer For Defendant<br> |
|----------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|

## CERTIFICATION BY PROSECUTOR

As prosecutor for this Prosecutorial District, I hereby certify that the conditions stated within this transcript, if any, are the terms and conditions agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charges in this case.

|                |                                                        |                                                                                                                 |
|----------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| Date<br>7/2/15 | Name Of Prosecutor (Type Or Print)<br>WARREN MCSWEENEY | Signature Of Prosecutor<br> |
|----------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|

# PLEA ADJUDICATION

Upon consideration of the record proper, evidence or factual presentation offered, answers of the defendant, statements of the lawyer for the defendant, and statements of the prosecutor, the undersigned finds that:

1. There is a factual basis for the entry of the plea (and for the admission as to aggravating factors and/or sentencing points);
2. The defendant is satisfied with his/her lawyer's legal services;
3. The defendant is competent to stand trial;
4. ☐ The State has provided the defendant with appropriate notice as to the aggravating factors and/or points; ☒ The defendant has waived notice as to the aggravating factors and/or points; and
5. The plea (and admission) is the informed choice of the defendant and is made freely, voluntarily and understandingly.

The defendant's plea (and admission) is hereby accepted by the Court and is ordered recorded.

Date: 7/21/2015 Name Of Presiding Judge (Type Or Print) Signature Of Presiding Judge

## SUPERIOR COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

| File No.   | Count No.(s) | Offense(s) |
|------------|--------------|------------|
| 15CRS51426 | II           | PDP        |

## DISTRICT COURT DISMISSALS PURSUANT TO PLEA ARRANGEMENT

| File No. | Count No.(s) | Offense(s) |
|----------|--------------|------------|
|          |              |            |

## CERTIFICATION BY PROSECUTOR

The undersigned prosecutor enters a dismissal to the above charges pursuant to a plea arrangement shown on this Transcript Of Plea.

Date Name Of Prosecutor (Type Or Print) Signature Of Prosecutor

# STATE OF NORTH CAROLINA

MOORE

County

CARTHAGE

Seat of Court

File No.

15CRS051426

51

**NOTE:** (This form is to be used for (1) felony offense(s) and (2) misdemeanor offense(s) that are consolidated for judgment with any felony offense(s). Use AOC-CR-310 for DWI offense(s).)

In The General Court Of Justice  
☐ District ☒ Superior Court Division

## STATE VERSUS

Name Of Defendant

JOHNSON, BRONWYN, LOUISA

Race

W

Sex

F

Date Of Birth

09/30/1963

Attorney For State

WARREN MCSWEENEY

☐ Def. Found  
Not Indigent

☐ Def. Waived  
Attorney

Attorney For Defendant

EDDIE H MEACHAM

☒ Appointed  
☐ Retained

Crt Rptr Initials

CLH

The defendant ☒ pled guilty (☐ pursuant to Affidavit) to ☐ was found guilty by the Court of ☐ was found guilty by a jury of ☐ pled no contest to

| File No.(s) | Off. | Offense Description          | Offense Date | G.S. No.    | F/M | CL | *Pun. CL. |
|-------------|------|------------------------------|--------------|-------------|-----|----|-----------|
| 15CRS051426 | 51   | FELONY POSSESSION OF COCAINE | 05/29/2015   | 90-95(D)(2) | F   | I  |           |
| 15CRS000512 | 51   | VOTER REGISTRATION FRAUD     | 11/04/2014   | 163-175(4)  | F   | I  |           |

\*NOTE: Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).

The Court ☒ 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 08.  
 Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.  
☐ 2. makes no prior record level finding because none is required.

PRIOR RECORD LEVEL: ☐ I ☒ II ☐ III ☐ IV ☐ V ☐ VI

The Court (NOTE: Block 1 or 2 MUST be checked.):

- ☐ 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).
- ☒ 2. makes the Determination of aggravating and mitigating factors on the attached AOC-CR-605.
- ☐ 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606.
- ☐ 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).
- ☐ 5. adjudges the defendant to be (check only one) ☐ a habitual felon to be sentenced four classes higher than the principal felony (no higher than Class C).  
☐ a habitual breaking and entering status offender, to be sentenced as a Class E felon.
- ☐ 6. finds enhancement pursuant to: ☐ G.S. 90-95(e)(3) (drugs). ☐ G.S. 14-3(c) (hate crime). ☐ G.S. 50B-4.1 (domestic violence).  
☐ G.S. 14-50.22 (gang). ☐ Other: \_\_\_\_\_ This finding is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission.
- ☐ 7. finds the above-designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore imposes the special conditions of probation set forth on the attached AOC-603C, Page Two, Side Two, and makes the additional findings and orders on the attached AOC-CR-615, Side Two.
- ☐ 8. finds the above-captioned offense(s) involve the (check all that apply) ☐ physical or mental ☐ sexual abuse of a minor.  
☐ (If No. 7 not found) and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603C, Page Two, Side Two.
- ☐ 9. finds that a ☐ motor vehicle ☐ commercial motor vehicle was used in the commission of the offense and that it shall be reported to DMV.
- ☐ 10. finds this is an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim.
- ☐ 11. finds the above-designated offense(s) involved criminal street gang activity. G.S. 14-50.25.
- ☐ 12. did not grant a conditional discharge under G.S. 90-96(a) because (check all that apply) ☐ the defendant refused to consent.  
☐ (offenses committed on or after Dec. 1, 2013, only) the Court finds, with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense.
- ☐ 13. finds that the defendant used or displayed a firearm while committing the felony. G.S. 15A-1382.2.
- ☐ 14. (for judgments entered on or after Dec. 1, 2013, only) finds that this was an offense involving child abuse or an offense involving assault or any of the acts as defined in G.S. 50B-1(a) committed against a minor. G.S. 15A-1382.1(a1).

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned

for a minimum term of 4 months for a maximum term of 14 months in the custody of the N.C. DAC.

☐ This sentence shall run at the expiration of sentence imposed in file number

The defendant shall be given credit for 54 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the ☒ sentence imposed above. ☐ Imprisonment required for special probation set forth on AOC-CR-603C, Page Two.

## SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on ☐ supervised ☒ unsupervised probation for 12 months.

- ☐ 1. The Court finds that a ☐ longer ☐ shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).
- ☐ 2. The Court finds that it is NOT appropriate to delegate to the Section of Community Corrections the authority to impose any of the requirements in G.S. 15A-1343.2(e) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment.
- ☐ 3. This period of probation shall begin ☐ when the defendant is released from incarceration ☐ at the expiration of the sentence in the case below.

| File No. | Offense | County | Court | Date |
|----------|---------|--------|-------|------|
|----------|---------|--------|-------|------|

☐ 4. The defendant shall comply with the conditions set forth in file number

☒ 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)

## MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee, pursuant to a schedule ☐ determined by the probation officer. ☒ set out by the court as follows:

| Costs     | Fine | Restitution* | Attorney's Fees | Comm Serv Fee | EHA Fee | SBM Fee | Appt Fee/Misc | Total Amount Due |
|-----------|------|--------------|-----------------|---------------|---------|---------|---------------|------------------|
| \$ 894.50 | \$   | \$ 0.00      | \$ 300.00       | \$ 0.00       | \$ 0.00 | \$ 0.00 | \$ 60.00      | \$ 1,254.50      |

\*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference.

- ☐ The Court finds just cause to waive costs, as ordered on the attached ☐ AOC-CR-618. ☐ Other: \_\_\_\_\_
- ☐ Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.

Material opposite unmarked squares is to be disregarded as surplusage.

# REGULAR CONDITIONS OF PROBATION - G.S. 15A-1343(b)

NOTE: Any probationary judgment may be extended pursuant to G.S. 15A-1342. The defendant shall: (1) Commit no criminal offense in any jurisdiction. (2) Possess no firearm, explosive device, or other deadly weapon listed in G.S. 14-269. (3) Remain gainfully and suitably employed or faithfully pursue a course of study or 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. If the defendant is on supervised probation, the defendant shall also: (5) Not abscond, by willfully avoiding supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer. (6) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer. (7) Report as directed by the Court or the probation officer to the officer at reasonable times and places and in a reasonable manner, permit the officer to visit at reasonable times, answer all reasonable inquiries by the officer and obtain prior approval from the officer for, and notify the officer of, any change in address or employment. (8) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment. (9) Submit at reasonable times to warrantless searches by a probation officer of the defendant's person and of the defendant's vehicle and premises while the defendant is present, for purposes directly related to the probation supervision, but the defendant may not be required to submit to any other search that would otherwise be unlawful. (10) Submit to warrantless searches by a law enforcement officer of the defendant's person and of the defendant's vehicle, upon a reasonable suspicion that the defendant is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon listed in G.S. 14-269 without written permission of the court. (11) Not use, possess, or control any illegal drug or controlled substance unless it has been prescribed for the defendant by a licensed physician and is in the original container with the prescription number affixed on it; not knowingly associate with any known or previously convicted users, possessors, or sellers of any such illegal drugs or controlled substances; and not knowingly be present at or frequent any place where such illegal drugs or controlled substances are sold, kept, or used. (12) Supply a breath, urine, or blood specimen for analysis of the possible presence of prohibited drugs or alcohol when instructed by the defendant's probation officer for purposes directly related to the probation supervision. If the results of the analysis are positive, the probationer may be required to reimburse the Division of Adult Correction for the actual costs of drug or alcohol screening and testing.

- ☐ 13. The Court finds that the defendant is responsible for acts of domestic violence and therefore makes the additional findings and orders on the attached AOC-CR-603C, Page Two, Side Two.

## SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1)

The defendant shall also comply with the following special conditions which the Court finds are reasonably related to the defendant's rehabilitation:

- ☐ 14. Surrender the defendant's drivers license to the Clerk of Superior Court for transmittal/notification to the Division of Motor Vehicles and not operate a motor vehicle for a period of \_\_\_\_\_ or until relicensed by the Division of Motor Vehicles, whichever is later.
- ☐ 15. Successfully pass the General Education Development Test (G.E.D.) during the first \_\_\_\_\_ months of the period of probation.
- ☐ 16. Complete \_\_\_\_\_ hours of community service during the first \_\_\_\_\_ days of the period of probation, as directed by the judicial services coordinator. The fee prescribed by G.S. 143B-708 is  
☐ not due because it is assessed in a case adjudicated during the same term of court.  
☐ to be paid ☐ pursuant to the schedule set out under Monetary Conditions on the reverse. ☐ within \_\_\_\_\_ days of this Judgment and before beginning service.
- ☐ 17. Report for initial evaluation by \_\_\_\_\_ participate in all further evaluation, counseling, treatment, or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.
- ☐ 18. Not assault, threaten, harass, be found in or on the premises or workplace of, or have any contact with \_\_\_\_\_ "Contact" includes any defendant-initiated contact, direct or indirect, by any means, including, but not limited to, telephone, personal contact, e-mail, pager, gift-giving, telefacsimile machine or through any other person, except \_\_\_\_\_
- ☐ 19. (for offenses committed on or after December 1, 2012) Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_\_\_ days, ☐ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.

☒ 20. Other:

EXECUTION OF SENTENCE IS SUSPENDED BY ORDER OF NORTH CAROLINA GENERAL ASSEMBLY STRUCTURED SENTENCING LAW. CONTRABAND IS ORDERED DESTROYED

MOORE COUNTY  
FILED

JUL 21 2015

- ☐ 21. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603C, Page Two.

## ORDER OF COMMITMENT/APEAL ENTRIES

- ☐ 1. It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other \_\_\_\_\_ officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.
- ☐ 2. The defendant gives notice of appeal from the judgment of the trial court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

## SIGNATURE OF JUDGE

Date

07/21/2015

Name Of Presiding Judge (type or print)

THE HONORABLE JAMES M WEBB

Signature Of Presiding Judge

## CERTIFICATION

I certify that this Judgment and the attachment(s) marked below is a true and complete copy of the original which is on file in this case.

- ☐ 1. Appellate Entries (AOC-CR-350)
- ☐ 2. Judgment Suspending Sentence (AOC-CR-603C, Page Two) (additional conditions of probation)
- ☐ 3. Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605)
- ☐ 4. Extraordinary Mitigation Findings (AOC-CR-606)
- ☐ 5. Restitution Worksheet, Notice And Order (Initial Sentencing) (AOC-CR-611)
- ☐ 6. Judicial Findings As To Required DNA Sample (AOC-CR-319)
- ☐ 7. Judicial Findings And Order For Sex Offenders - Suspended Sentence (AOC-CR-615, Side Two)
- ☐ 8. Convicted Sex Offender Permanent No Contact Order (AOC-CR-620)
- ☐ 9. Additional File No.(s) And Offense(s) (AOC-CR-626)
- ☐ 10. Other: \_\_\_\_\_

Date

Date Certified Copies Delivered To Sheriff

Signature Of Clerk

- ☐ Deputy CSC ☐ Asst. CSC  
☐ Clerk Of Superior Court

SEAL

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Prob  
7-22-15

# STATE OF NORTH CAROLINA

MOORE

County

File No.

15CRS051426

51

In The General Court Of Justice

☐ District ☒ Superior Court Division

## STATE VERSUS

Name Of Defendant

JOHNSON, BRONWYN, LOUISA

Offense

FELONY POSSESSION OF COCAINE

## FELONY JUDGMENT FINDINGS OF AGGRAVATING AND MITIGATING FACTORS (STRUCTURED SENTENCING)

G.S. 15A-1340.16

**NOTE:** When consolidating offenses for judgment, findings of aggravating factors and mitigating factors should be made only for the most serious offense. Separate findings of aggravating factors and mitigating factors should be made for each offense that is not consolidated.

### AGGRAVATING FACTORS

- ☐ 1. The Defendant: ☐ a. induced others to participate in the commission of the offense. ☐ b. occupied a position of leadership or dominance of other participants in the commission of the offense.
- ☐ 2. The defendant joined with more than one other person in committing the offense and was not charged with committing a conspiracy.
- ☐ 2a. The offense was committed for the benefit of, or at the direction of, any criminal street gang, with the specific intent to promote, further, or assist in any criminal conduct by gang members, and the defendant was not charged with committing a conspiracy.
- ☐ 3. The offense was committed for the purpose of: ☐ a. avoiding or preventing a lawful arrest. ☐ b. effecting an escape from custody.
- ☐ 4. The defendant was: ☐ a. hired to commit the offense. ☐ b. paid to commit the offense.
- ☐ 5. The offense was committed to: ☐ a. disrupt ☐ b. hinder the lawful exercise of a governmental function or the enforcement of laws.
- ☐ 6. The offense was committed against or proximately caused serious injury to a present or former law enforcement officer, employee of the Division of Adult Correction, jailer, fireman, emergency medical technician, ambulance attendant, social worker, justice or judge, clerk or assistant or deputy clerk of court, magistrate, prosecutor, juror, or witness against the defendant, while engaged in the performance of that person's official duties or because of the exercise of that person's official duties.
- ☐ 6a. The offense was committed against or proximately caused serious harm as defined in G.S. 14-163.1 or death to a law enforcement agency animal, an assistance animal, or a search and rescue animal (Applies to offenses committed on or after December 1, 2009.) as defined in G.S. 14-163.1, while engaged in the performance of the animal's official duties.
- ☐ 7. The offense was especially heinous, atrocious or cruel.
- ☐ 8. The defendant knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person.
- ☐ 9. (select appropriate option depending on date of offense)  
☐ a. (use for offenses committed prior to December 1, 2012) The defendant held public office at the time of the offense and the offense related to the conduct of the office.  
☐ b. (use for offenses committed on or after December 1, 2012) The defendant held public elected or appointed office or public employment at the time of the offense and the offense directly related to the conduct of the office or employment. (NOTE: The court must notify the State Treasurer as required by G.S. 15A-1340.16(f).)
- ☐ 9a. The defendant is a firefighter or rescue squad worker, and the offense is directly related to service as a firefighter or rescue squad worker. (Applies to offenses committed on or after December 1, 2013.)
- ☐ 10. The defendant: ☐ a. was armed with a deadly weapon at the time of the crime. ☐ b. used a deadly weapon at the time of the crime.
- ☐ 11. The victim was: ☐ a. very young. ☐ b. very old. ☐ c. mentally infirm. ☐ d. physically infirm. ☐ e. handicapped.
- ☐ 12. The defendant committed the offense while on pretrial release on another charge.
- ☐ 12a. The defendant has, during the 10-year period prior to the commission of the offense for which the defendant is being sentenced, been found by a court of this State to be in willful violation of the conditions of probation imposed pursuant to a suspended sentence or been found by the Post-Release Supervision and Parole Commission to be in willful violation of a condition of parole or post-release supervision imposed pursuant to release from incarceration. The Court finds this aggravating factor beyond a reasonable doubt. (Applies to offenses committed on or after December 1, 2008.)
- ☐ 13. The defendant involved a person under the age of 16 in the commission of the crime.
- ☐ 14. The offense involved: ☐ a. an attempted taking of property of great monetary value. ☐ b. the actual taking of property of great monetary value. ☐ c. damage causing great monetary loss. ☐ d. an unusually large quantity of contraband.
- ☐ 15. The defendant took advantage of a position of trust or confidence, including a domestic relationship, to commit the offense.
- ☐ 16. The offense involved the sale or delivery of a controlled substance to a minor.
- ☐ 16a. The offense is the manufacture of methamphetamine and was committed where a person under the age of 18 lives, was present, or was otherwise endangered by exposure to the drug, its ingredients, its by-products, or its waste.
- ☐ 16b. The offense is the manufacture of methamphetamine and was committed in a dwelling that is one of four or more contiguous dwellings.
- ☐ 17. The offense was committed against a victim because of the victim's race, color, religion, nationality, or country of origin.
- ☐ 18. The defendant does not support the defendant's family.
- ☐ 18a. The defendant has previously been adjudicated delinquent for an offense that would be a Class A, B, C, D, or E felony if committed by an adult. ☐ The Court finds this aggravating factor beyond a reasonable doubt.
- ☐ 19. The victim of this offense suffered serious injury that is permanent and debilitating.
- ☐ 19a. The offense is a violation of G.S. 14-43.11, G.S. 14-43.12, or G.S. 14-43.13, and involved multiple victims. (Applies to offenses committed on or after October 1, 2013.)
- ☐ 19b. The offense is a violation of G.S. 14-43.11, G.S. 14-43.12, or G.S. 14-43.13, and the victim suffered serious injury as a result of the offense. (Applies to offenses committed on or after October 1, 2013.)
- ☐ 20. Additional written findings of factors in aggravation:

- ☐ The Court accepts the defendant's admission to the aggravating factor(s) noted above and finds the supporting evidence to be beyond a reasonable doubt.
- ☐ The jury finds these aggravating factors beyond a reasonable doubt.
- ☒ There are no findings of any aggravating factors.

AOC-CR-605, Rev. 10/13

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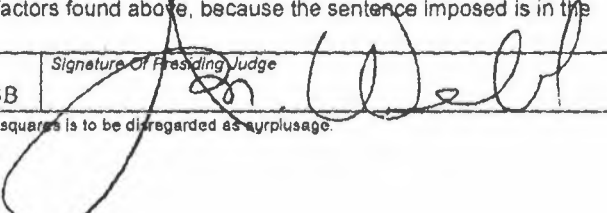
## MITIGATING FACTORS

- ☐ 1. The defendant committed the offense under:
- ☐ a. duress which was insufficient to constitute a defense but significantly reduced the defendant's culpability.
  - ☐ b. coercion which was insufficient to constitute a defense but significantly reduced the defendant's culpability.
  - ☐ c. threat which was insufficient to constitute a defense but significantly reduced the defendant's culpability.
  - ☐ d. compulsion which was insufficient to constitute a defense but significantly reduced the defendant's culpability.
- ☐ 2. The defendant:
- ☐ a. was a passive participant in the commission of the offense.
  - ☐ b. played a minor role in the commission of the offense.
- ☐ 3. The defendant was suffering from a:
- ☐ a. mental condition that was insufficient to constitute a defense but significantly reduced the defendant's culpability for the offense.
  - ☐ b. physical condition that was insufficient to constitute a defense but significantly reduced the defendant's culpability for the offense.
- ☐ 4. The defendant's:
- ☐ a. age, or immaturity, at the time of the commission of the offense significantly reduced the defendant's culpability for the offense.
  - ☐ b. limited mental capacity at the time of the commission of the offense significantly reduced the defendant's culpability for the offense.
- ☐ 5. The defendant has made:
- ☐ a. substantial restitution to the victim.
  - ☐ b. full restitution to the victim.
- ☐ 6. The victim was more than 16 years of age and:
- ☐ a. was a voluntary participant in the defendant's conduct.
  - ☐ b. consented to the defendant's conduct.
- ☐ 7. The defendant:
- ☐ a. aided in the apprehension of another felon.
  - ☐ b. testified truthfully on behalf of the State in another prosecution of a felony.
- ☐ 8. ☐ a. The defendant acted under strong provocation.
- ☐ b. The relationship between the defendant and the victim was otherwise extenuating.
- ☐ 9. The defendant:
- ☐ a. could not reasonably foresee that the defendant's conduct would cause or threaten serious bodily harm or fear.
  - ☐ b. exercised caution to avoid serious bodily harm or fear to other persons.
- ☐ 10. The defendant reasonably believed that the defendant's conduct was legal.
- ☐ 11. The defendant voluntarily acknowledged wrongdoing in connection with the offense to a law enforcement officer:
- ☐ a. at an early stage of the criminal process.
  - ☐ b. prior to arrest.
- ☐ 12. The defendant has been a person of good character or has had a good reputation in the community in which the defendant lives.
- ☐ 13. The defendant is a minor and has reliable supervision available.
- ☐ 14. The defendant has been honorably discharged from the United States Armed Services.
- ☒ 15. The defendant has accepted responsibility for the defendant's criminal conduct.
- ☐ 16. The defendant has entered and is currently involved in or has successfully completed a drug treatment program or an alcohol treatment program subsequent to arrest and prior to trial.
- ☐ 17. The defendant supports the defendant's family.
- ☐ 18. The defendant has a support system in the community.
- ☐ 19. The defendant has a positive employment history or is gainfully employed.
- ☐ 20. The defendant has a good treatment prognosis and a workable treatment plan is available.
- ☐ 21. Additional written findings of factors in mitigation:

☐ The Court makes no findings of any mitigating factors.

## DETERMINATION

1. The Court finds that:
- ☐ the State provided the defendant with appropriate notice of the aggravating factor(s) in this case.
  - ☐ the defendant waived any notice requirements as to the aggravating factor(s) in this case.
2. The Court finds that the State included in its criminal pleading the statement required by G.S. 15A-924(a)(7), if necessary.
3. The Court, having considered the evidence and arguments presented at the trial and sentencing hearing, and based on the admission(s) and findings of aggravating and mitigating factors as noted above,
- ☐ finds that the factors in aggravation outweigh the factors in mitigation and that an aggravated sentence is justified.
  - ☒ finds that the factors in mitigation outweigh the factors in aggravation and that a mitigated sentence is justified.
  - ☐ makes no determination as to the relative weights of the factors found above, because the sentence imposed is in the presumptive range.

|            |                                         |                                                                                      |
|------------|-----------------------------------------|--------------------------------------------------------------------------------------|
| Date       | Name Of Presiding Judge (Type Or Print) | Signature Of Presiding Judge                                                         |
| 07/21/2015 | THE HONORABLE JAMES M WEBB              |  |

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# STATE OF NORTH CAROLINA

File No.

15CRS51426

MOORE

County

In The General Court Of Justice  
☐ District ☒ Superior Court Division

## STATE VERSUS

Name And Address Of Defendant

BRONWYN LOUISA JOHNSON

Social Security No.

SID No.

Race

W

Sex

F

DOB

09/30/1963

## WORKSHEET PRIOR RECORD LEVEL FOR FELONY SENTENCING AND PRIOR CONVICTION LEVEL FOR MISDEMEANOR SENTENCING (STRUCTURED SENTENCING)

(For Offenses Committed On Or After Dec. 1, 2009)

G.S. 15A-1340.14, 15A-1340.21

### I. SCORING PRIOR RECORD/FELONY SENTENCING

| NUMBER   | TYPE                                                             | FACTORS | POINTS |
|----------|------------------------------------------------------------------|---------|--------|
|          | Prior Felony Class A Conviction                                  | X10     |        |
|          | Prior Felony Class B1 Conviction                                 | X 9     |        |
|          | Prior Felony Class B2 or C or D Conviction                       | X 6     |        |
|          | Prior Felony Class E or F or G Conviction                        | X 4     |        |
| 1        | Prior Felony Class H or I Conviction                             | X 2     | 2      |
| 4        | Prior Class A1 or 1 Misdemeanor Conviction (see note on reverse) | X 1     | 4      |
| SUBTOTAL |                                                                  |         | 6      |

Defendant's Current Charge(s):

|                                                                                                                                                                                                                                                                                                                  |          |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------|
| If all the elements of the present offense are included in any prior offense whether or not the prior offenses were used in determining prior record level.                                                                                                                                                      | + 1      | 1                        |
| If the offense was committed while the offender was:<br><input checked="" type="checkbox"/> on supervised or unsupervised probation, parole, or post-release supervision;<br><input type="checkbox"/> serving a sentence of imprisonment; or <input type="checkbox"/> on escape from a correctional institution. | + 1      | 1                        |
| County                                                                                                                                                                                                                                                                                                           | File No. | State (if other than NC) |

TOTAL 8

### II. CLASSIFYING PRIOR RECORD/CONVICTION LEVEL

#### MISDEMEANOR

NOTE: If sentencing for a misdemeanor, total the number of prior conviction(s) listed on the reverse and select the corresponding prior conviction level.

| No. Of Prior Convictions | Level |
|--------------------------|-------|
| 0                        | I     |
| 1 - 4                    | II    |
| 5+                       | III   |

PRIOR CONVICTION LEVEL III

- ☐ The Court has determined the number of prior convictions to be \_\_\_\_\_ and the level to be as shown above.
- ☐ In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.

#### FELONY

NOTE: If sentencing for a felony, locate the prior record level which corresponds to the total points determined in Section I above.

| Points  | Level |
|---------|-------|
| 0 - 1   | I     |
| 2 - 5   | II    |
| 6 - 9   | III   |
| 10 - 13 | IV    |
| 14 - 17 | V     |
| 18+     | VI    |

PRIOR RECORD LEVEL III

- ☐ The Court finds the prior convictions, prior record points and the prior record level of the defendant to be as shown herein.
- ☐ In making this determination, the Court has relied upon the State's evidence of the defendant's prior convictions from a computer printout of DCI-CCH.
- ☐ In finding a prior record level point under G.S. 15A-1340.14(b)(7), the Court has relied on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.

- ☐ The Court finds that all of the elements of the present offense are included in a prior offense.
- ☐ For each out-of-state conviction listed in Section V on the reverse, the Court finds by a preponderance of the evidence that the offense is substantially similar to a North Carolina offense and that the North Carolina classification assigned to this offense in Section V is correct.
- ☒ The Court finds that the State and the defendant have stipulated in open court to the prior convictions, points and record level.

Date 7/21/2015 Name Of Presiding Judge (Type Or Print) James M. Wead

Signature Of Presiding Judge [Signature]

