

THE NORTH CAROLINA SHERIFFS'
EDUCATION AND TRAINING STANDARDS COMMISSION
FINAL AGENCY DECISION MINUTES

DATE: June 16, 2022

TIME: 1:00 P.M.

LOCATION: Brunswick County Courthouse, 310 Government Center Drive NE,
Bolivia, NC 28422.

SUBMITTED BY: Richard Squires, Director

I. CALL TO ORDER

Sheriff Alan Cloninger

The North Carolina Sheriffs' Education and Training Standards Commission's Final Agency Decision meeting was called to order by Sheriff Alan Cloninger on Thursday, June 16, 2022.

Chair Cloninger recognized Richard Squires as the new Sheriffs' Training and Standards Director. Chair Cloninger recognized host Sheriff John Ingram; Sheriff Ingram welcomed everyone to Brunswick County. Chair Cloninger requested a roll call of Commission members. Alex Radford recorded the following:

MEMBERS PRESENT

Sheriff Shelton White
Sheriff Jack Smith
Sheriff Landric Reid
Sheriff Mike Roberson
Sheriff Alan Norman
Sheriff Alan Cloninger
Sheriff Terry Johnson
Sheriff Doug Doughtie
Retired Sheriff David Smith
Mr. Marc Nichols
Sheriff Ricky Oliver (Probable Cause)
Sheriff John Ingram (Probable Cause)
Sheriff Alan Jones (Probable Cause)
Sheriff David Mahoney (Probable Cause)

MEMBERS ABSENT

Mr. Jamie Markham
Ms. Tracy McPherson
Sheriff Ed McMahan (Probable Cause)

STAFF

Richard Squires - Director - Sheriffs' Standards Division
Sirena Jones - Deputy Director - Sheriffs' Standards Division
Alex Radford - Sheriffs' Standards Division
Chris Brooks - NC Dept. of Justice
Bob Pickett - NC Dept. of Justice

Chair Cloninger announced that a quorum was present.

Commission Chair Cloninger noted that Mr. Chris Brooks, Assistant Attorney General, would serve as the Commission Legal Counsel. Mr. Brooks read the ethics statement to the Commission members and reminded everyone that both the Petitioner and the Respondent would be limited to 30 minutes of oral argument.

Chair Cloninger welcomed everyone to the meeting. Sheriff Cloninger then asked visitors to stand and introduce themselves.

VISITORS

| | |
|------------------------|------------------------------|
| Steve Stone | Brunswick County Manager |
| Lorin Dingler | NC Community College System |
| Chris Batten | Sheriffs' Standards Division |
| Ken Blevins | StarNews Wilmington |
| Jennifer J. Knox | Represents Marcus Hands |
| Leslie Cooley-Dismukes | NC Department of Justice |

II. FINAL AGENCY DECISION

Bob Pickett

***Marcus Lamonte Hands**

Mr. Bob Pickett addressed the Sheriffs' Commission Members and stated that Mr. Marcus Hands holds Detention Officer Certification through the New Hanover County Sheriff's Office. Mr. Bob Pickett presented oral arguments regarding the case against Mr. Marcus Hands. He presented that the Petitioner lacks good moral character necessary for his justice officer certification.

He stated an Administrative hearing was held on January 5, 2022, before administrative Law Judge, Stacey Bice Bawtinheimer, regarding whether Petitioner displayed a lack of good moral character when he obtained a banned study guide from another student, was involved in distributing it, and then lied to the instructor about possessing it. The Administrative Law Judges proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, the

Petitioner's justice officer certification be retained and no action be taken against Petitioner's justice officer certification.

Chair Cloninger asked the Commission if there were any questions. Negative response. The Petitioners attorney, Jennifer J. Knox presented oral arguments regarding the case.

Attorney Jennifer J. Knox does not dispute anything that Mr. Bob Pickett presented to the commission and agrees with the Administrative Law Judges proposed decision that no action be taken against Mr. Hand's justice Officer Certification.

Mr. Hand's was recognized and addressed the commission. He stated that he regret what he did and that he would never do anything like this ever again.

A **MOTION** was made by Sheriff Alan Norman to enter a closed session; seconded by Sheriff Mike Roberson. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Mike Roberson to enter open session; seconded by Sheriff Landric Reid. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Terry Johnson in the matter of Mr. Marcus Lamonte Hands; we find at the occurrence of this event that Mr. Hands lacked good moral character, but since then Mr. Hands has rehabilitated himself and at this time we find that Mr. Hands has good moral character and take no further action; seconded by Sheriff Doug Doughtie. **MOTION CARRIED.**
[Attachment #1]

III. FINAL AGENCY DECISION

Bob Pickett

***Tawanda T. Tillery**

Chair Cloninger stated that Ms. Tillery was not present. Chairman Cloninger asked Mr. Pickett to present the evidence.

Mr. Bob Pickett addressed the Sheriffs' Commission Members and stated that Ms. Tawanda T. Tillery is an applicant for Justice Officer Certification with the Nash County Sheriff's Office.

He stated an administrative hearing was held on March 24, 2022, before Administrative Law Judge Michael C. Byrne, regarding whether Petitioner's justice officer certification should be denied for making a material misrepresentation by failing to list a 2001 Simple Assault charge on her Sheriffs' Standards Personal History Statement or for failing to timely notify the Division of a new misdemeanor charge (Harassing Phone Call 20 CR 051441) after the date of appointment. The Administrative Law Judges proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that Petitioner's justice officer certification, not be denied, but rather that in lieu of denial, Petitioner's certification be placed in a probationary period of five years on the condition that during that period or probation, Petitioner not violate any laws other than infractions of this state or any other state, any federal laws, or any rules of this Commission or the North Carolina Criminal Justice Education and Training Standards Commission.

Chair Cloninger asked the Commission if there were any questions. Negative response.

A **MOTION** was made by Sheriff Terry Johnson to enter a closed session; seconded by Mr. Marc Nichols. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Mike Roberson to enter open session; seconded by Sheriff Shelton White. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Terry Johnson in the matter of Tawanda T. Tillery; that we adopt counsel's recommendation, that her certification not be denied but she be placed on probation for five years; seconded by Sheriff Landric Reid. **MOTION CARRIED. [Attachment #2]**

IV. FINAL AGENCY DECISION

Bob Pickett

***Nathan Alexander Caudill**

Mr. Bob Pickett addressed the Sheriffs' Commission Members and stated that Mr. Nathan Caudill is an applicant for justice officer certification with the Randolph County Sheriff's Office. He stated an administrative hearing was held on September 29, 2021, before administrative Law Judge Jonathan S. Dills, regarding whether Petitioner's justice officer certification should be denied on the grounds that Petitioner committed a Class B misdemeanor offense of Assault on a Female or that he lacked of good moral character. The Administrative Law Judges proposal for

decision based on the foregoing Findings of Fact and Conclusions of Law, it is proposed that Petitioner’s justice officer certification be granted.

Chair Cloninger asked the Commission if there were any questions. Negative response.

A **MOTION** was made by Mr. Marc Nichols to enter a closed session; seconded by Sheriff Mike Roberson. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Shelton White to enter open session; seconded by Sheriff Jack Smith. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Landric Reid in the matter of Nathan Caudill; that we accept counsel’s recommendation to grant his certification, also in the proposed Final Agency Decision we keep line 15 that reads “Kubala was not credible” and strike the remaining information; seconded by Mr. Marc Nichols. **MOTION CARRIED. [Attachment #3]**

V. FINAL AGENCY DECISION

Bob Pickett

***Michael Anthony Lee Jr.**

Mr. Bob Pickett addressed the members of the Sheriffs’ Commission stating that Michael A. Lee Jr. is an applicant for justice officer certification with the Rutherford County Sheriff’s Office. He stated an administrative hearing was held on October 6, 2021, before Administrative Law Judge David F. Sutton, regarding whether Petitioner’s justice office certification should be denied on the ground Petitioner lacked good moral character, had made a material misrepresentation by omitting information that he has previously purchased and sold methamphetamine, or committed the Felony offense of Possession with Intent to Sell, Manufacture or Deliver. The Administrative Law Judges proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, it is proposed that Petitioner’s justice officer certification be revoked for a period of five years for making a material misrepresentation. Further, it is ordered that Petitioner’s justice officer certification be revoked indefinitely for failure to maintain good moral character.

Chair Cloninger asked the Commission if there were any questions. Negative response.
Chair Cloninger asked that our records reflect that Mr. Lee received a proper notice for the Final Agency Decision meeting but did not show up.

A **MOTION** was made by Sheriff Terry Johnson to enter a closed session; seconded by Sheriff Alan Norman. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Mike Roberson to enter open session; seconded by Sheriff Doug Doughtie. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Terry Johnson in the matter of Michael A. Lee Jr; that we adopt counsel's recommendation to revoke justice officer certification for five years for making a material misrepresentation and further it be ordered that the petitioners justice officer certification be revoked indefinitely; seconded by Sheriff Mike Roberson. **MOTION CARRIED.**
[Attachment #4]

VI. LEGAL COUNSEL'S REPORT

Mr. Bob Pickett summarized Legal Counsel's Report. This report is available for review and includes administrative case files that are currently in the Office of Administrative Hearings. Mr. Pickett reviewed the various stages of litigation for the administrative cases as follows:
[See Attachment #5]

- 18 cases including 4 Final Agency Decisions heard today
- 5 new cases since March
- 4 Petition for Judicial Review cases

IX. ADJOURNMENT

A **MOTION** was to adjourn the March 2022 Sheriffs' Final Agency Decision meeting; Seconded. **MOTION CARRIED.**

Attachment 1

**ROLL CALL VOTE
FINAL AGENCY DECISION
NORTH CAROLINA SHERIFFS' EDUCATION & TRAINING
STANDARDS COMMISSION**

Marcus Lamonte Hands

DATE: 6/16/2022

| MEMBERS ELIGIBLE TO VOTE | Yes | No |
|--|------------|-----------|
| Sheriff Shelton White | X | |
| Sheriff Jack Smith | X | |
| Sheriff Landric Reid | X | |
| Sheriff Alan Cloninger | X | |
| Sheriff Mike Roberson | X | |
| Sheriff Alan Norman | X | |
| Sheriff Terry Johnson | X | |
| Sheriff Doug Doughtie | X | |
| Retired Sheriff David Smith | X | |
| Mr. Marc Nichols | X | |
| | | |
| | | |
| NON-VOTING MEMBERS | | |
| Mr. Jamie Markham proxy for Mike Smith | | |
| Ms. Tracy McPherson | | |

Attachment 2

**ROLL CALL VOTE
FINAL AGENCY DECISION
NORTH CAROLINA SHERIFFS' EDUCATION & TRAINING
STANDARDS COMMISSION**

Tawanda T. Tillery

DATE: 6/16/2022

| MEMBERS ELIGIBLE TO VOTE | Yes | No |
|--|------------|-----------|
| Sheriff Shelton White | X | |
| Sheriff Jack Smith | X | |
| Sheriff Landric Reid | X | |
| Sheriff Alan Cloninger | X | |
| Sheriff Mike Roberson | X | |
| Sheriff Alan Norman | X | |
| Sheriff Terry Johnson | X | |
| Sheriff Doug Doughtie | X | |
| Retired Sheriff David Smith | X | |
| Mr. Marc Nichols | X | |
| | | |
| | | |
| NON-VOTING MEMBERS | | |
| Mr. Jamie Markham proxy for Mike Smith | | |
| Ms. Tracy McPherson | | |

Attachment 3

**ROLL CALL VOTE
FINAL AGENCY DECISION
NORTH CAROLINA SHERIFFS' EDUCATION & TRAINING
STANDARDS COMMISSION**

Nathan Alexander Caudill

DATE: 6/16/2022

| MEMBERS ELIGIBLE TO VOTE | Yes | No |
|--|------------|-----------|
| Sheriff Shelton White | X | |
| Sheriff Jack Smith | X | |
| Sheriff Landric Reid | X | |
| Sheriff Alan Cloninger | X | |
| Sheriff Mike Roberson | X | |
| Sheriff Alan Norman | X | |
| Sheriff Terry Johnson | X | |
| Sheriff Doug Doughtie | X | |
| Retired Sheriff David Smith | X | |
| Mr. Marc Nichols | X | |
| | | |
| | | |
| NON-VOTING MEMBERS | | |
| Mr. Jamie Markham proxy for Mike Smith | | |
| Ms. Tracy McPherson | | |

Attachment 4

**ROLL CALL VOTE
FINAL AGENCY DECISION
NORTH CAROLINA SHERIFFS' EDUCATION & TRAINING
STANDARDS COMMISSION**

Michael Anthony Lee Jr.

DATE: 6/16/2022

| MEMBERS ELIGIBLE TO VOTE | Yes | No |
|--|------------|-----------|
| Sheriff Shelton White | X | |
| Sheriff Jack Smith | X | |
| Sheriff Landric Reid | X | |
| Sheriff Alan Cloninger | X | |
| Sheriff Mike Roberson | X | |
| Sheriff Alan Norman | X | |
| Sheriff Terry Johnson | X | |
| Sheriff Doug Doughtie | X | |
| Retired Sheriff David Smith | X | |
| Mr. Marc Nichols | X | |
| | | |
| | | |
| NON-VOTING MEMBERS | | |
| Mr. Jamie Markham proxy for Mike Smith | | |
| Ms. Tracy McPherson | | |

Attachment 5

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|---|---------------------------------|--|--|--------------|---|
| Chabot, Robert Jason (JC) <u>Counsel:</u> William L. Hill 2307 W. Cone Blvd Ste 260 Greensboro, NC 27408 (336) 378-9411 whill@frazierlaw.com | Randolph 19 DOJ 02703 May | 12 NCAC 10B.0204(d)(5): COMM four or more Class A or Class B misd. | CASE ON HOLD (CLOSED IN OAH 11/14/2019) | | 8/9/19: Notice of Hearing 9/24/19: Order on Post-Hearing 10/11/19: R-Verified Exhibits 10/22/19: R-Amended PFD 11/14/19: ALJ PFD 11/19/19: NOR Letter 12/13/19: CD submitted to OAH |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--|--|--|---------------------------------------|----------------------------------|--|
| <p>Caudill, Nathan <u>New address:</u> 5763 Davis County Road Randleman, NC 27317</p> | <p>21 DOJ 01689 Randolph Dills</p> | <p>12 NCAC 10B.0204(d)(1): Class B misd. after appointment 12 NCAC 10B.0301(a)(8): LGMC</p> | <p align="center">JUNE FAD</p> | <p>10/27/2021 High Point</p> | <p>4/6/2021: Case opened 4/7/2021: Initial docs 5/3/2021: P-PHS filed 5/10/2021: R-PHS filed 6/30/2021: Order Reassignment 7/9/2021: R-MTC filed 7/12/2021: Order Continuance & Reassignment 8/27/2021: NOH 9/22/2021: R-MTC & Order denying MTC 9/24/2021: MTC b/h of Petitioner 9/24/2021: Order Continuance 9/27/2021: Order Reassignment 10/7/2021: NOH 10/28/2021: Post Hearing Order 11/30/2021: R-PFD 1/14/2022: ALJ PFD 1/19/2022: NOR Ltr 1/27/2022: Amended ALJ PFD 6/2/2022: FAD Mtg Notice</p> |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--------------|-------------------------------|---|------------------|----------------------|---|
| Core, Joshua | 21 DOJ 01688 Wake Ward | 12 NCAC 10B.0204(c)(1)(2): Mat. Misrepresentation | | 9/28/2021 Raleigh | 4/6/2021: Case opened 4/7/2021: Initial docs 5/7/2021: P-PHS/Hearing Asst 5/10/2021: R-PHS filed 7/9/2021: R-MTC filed 7/12/2021: Order re Response to Respondent's MTC [7-10-2021] 7/21/2021: Order Continuance 7/29/2021: Order Reassignment 8/26/2021: NOH 9/29/2021: P-Community Ltrs 10/28/2021: R-PFD 5/31/2022: ALJ PFD 6/2/2022: NOR Ltr |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|---|---|--|------------------------|--------------------------------|--|
| <p>Lee, Michael (ENJ)</p> <p>Counsel: Tom Morris/Heather Fox King Law Offices 364 Butler Road Forest City, NC 28043 tmorris@kinglawoffices.com (828) 286-3332</p> | <p>21 DOJ 01874 Wilkes Sutton</p> | <p>12 NCAC 10B.0204(c)(1)(2): Mat. Misrepresentation</p> <p>12 NCAC 10B.0204(a)(1): Comm of a felony</p> <p>12 NCAC 10B.0301(a)(8): LGMC</p> | <p>JUNE FAD</p> | <p>10/6/2021 Morganton</p> | <p>4/16/2021: Case opened 4/19/2021: Initial docs 5/21/2021: R-PHS filed 5/27/2021: P-PHS filed 7/9/2021: NOH 7/9/2021: R-MTC filed 7/12/2021: Order Continuance 8/13/2021: NOH/Conduct of Hearing 8/27/2021: P-NOA 8/31/2021: Joint MTC 9/1/2021: Order Continuance 9/10/2021: NOH 10/11/2021: Post-hearing Order 11/1/2021: MXT/Prop Order 11/4/2021: Order XT to file PFD 11/29/2021: Transcript filed 12/29/2021: P-PFD 12/30/2021: R-PFD 2/14/2021: ALJ PFD 2/16/2022: NOR Ltr 6/2/2022: FAD Mtg Notice</p> |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|---|---|---------------------------------|------------------|-----------------------|--|
| Hands, Marcus Lamonte Counsel: Jennifer Knox 4600 Marriott Dr, Ste 200 Raleigh, NC 27612 jenknox74@gmail.com jennifer@jenniferknoxlaw.com | 21 DOJ 03746 New Hanover Bawtinheimer | 12 NCAC 10B.0301(a)(8): LGMC | JUNE FAD | 1/5-6/2022 Bolivia | 8/31/2021: Case opened 9/3/2021: Initial docs 9/22/2021: P-PHS 10/4/2021: R-PHS 10/28/2021: NOH 11/2/2021: P-MTC 11/3/2021: Order Continuance and Notice of Rescheduled Hearing 1/7/2021: Post-Hearing Order 1/10/2022: OAH Transcript K 1/13/2022: Joint Motion/Order to remove Exh 4f from Record 1/19/2022: MXT to file PFD 1/20/2022: Order grant MXT 2/22/2022: P-PFD 2/23/2022: R-PFD 3/3/2022: ALJ PFD 3/3/2022: NOR Ltr 6/2/2022: FAD Mtg Notice |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--|------------------------------------|--|------------------|-------------------------|---|
| Costner, Caleb Dean Counsel: William A. Anthony III 223 W. Main Street PO Box 981 Gastonia, NC 28053 bogleandanthony@gmail.com | 21 DOJ 03745 Gaston Malherbe | 12 NCAC 10B.0301(a)(8): LGMC 12 NCAC 10B.0204(b)(2): Fail to meet/maintain min. employment standards | | 3/14/2022 WebEx | 8/31/2021: Case opened 9/3/2021: Initial docs 10/4/2021: R-PHS 10/13/2021: 2nd Order PHS 10/21/2021: P-PHS/Hearing Asst 11/10/2021: NOH (Virtual) 11/19/2021: R-MTC 11/24/2021: Order Continuance 1/5/2022: NOH 1/13/2022: R-MTC 1/18/2022: Order Continuance 2/15/2022: Req for Interpreter 2/21/2022: NOH (Virtual) 3/1/2022: Amended R-PHS 3/4/2022: Joint Stipulations 3/7/2022: Joint Stipulations 3/15/2022: Order for PFD 4/19/2021: R-PFD 5/31/2022: ALJ PFD 6/2/2022: NOR Ltr |
| Tilley, Tawanda | 21 DOJ 04957 Wilson Byrne | 12 NCAC 10B.0301(A)(7): Failure to notify 12 NCAC 10B.0204(c)(1)(2): Mat. Misrepresentation | JUNE FAD | 3/24/2022 Greenville | 11/18/2021: Case opened 11/19/2021: Initial docs 12/6/2021: P-PHS 1/4/2022: R-PHS 1/4/2022: NOH 3/4/2022: R-MTC 3/7/2022: Order Continuance/NOH 3/25/2022: ALJ PFD 3/25/2022: Amended ALJ PFD 3/31/2022: NOR Ltr 6/2/2022: FAD Mtg Notice |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--|--|--|-------------------------------|----------------------------------|--|
| <p>Deese, Scottie Counsel: Barry K. Henline PO Box 15862 Wilmington, NC 28408 910-523-6831 barrykhenline@outlook.com</p> | <p>21 DOJ 05195 Robeson Turrentine</p> | <p>12 NCAC 10B.0204(a)(1): COMM of felony 12 NCAC 10B.0204(c)(1)(2): Mat. misrepresentation</p> | <p>6/30/2022: ALJ PFD due</p> | <p>5/9/2022 Fayetteville</p> | <p>12/3/2021: Case opened 12/6/2021: Initial docs 12/28/2021: P-NOA 12/28/2021: P-PHS 12/28/2021: P-1st Req Prod Docs 1/6/2022: R-PHS 1/12/2022: R-Response to P/D 3/7/2022: NOH 4/21/2022: P-M to reschedule hearing 4/21/2022: Order granting Ps Motion to Reschedule Hearing 4/21/2022: Order reassignment 4/22/2022: NOH 4/27/2022: Joint Stipulations 5/10/2022: R-PFD filed 5/10/2022: Amended Scheduling Order 5/24/2022: P-PFD</p> |
| <p>Gilbraith, Tyler David</p> | <p>21 DOJ 05301 Wake Byrne</p> | <p>12 NCAC 10B.0204(c)(1)(2): Mat. misrepresentation</p> | | <p>4/25/2022 Raleigh</p> | <p>12/9/2021: Case opened 12/10/2021: Initial docs 12/30/2021: P-PHS 1/3/2022: NOH 1/7/2022: R-PHS 3/31/2022: Ltr of PC Notice 4/25/2022: ALJ PFD 6/8/2022: NOR Ltr</p> |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|---|--------------------------------------|---|------------------|---------------------------------|---|
| Jarvis, James Counsel: J. Michael McGuinness P.O. Box 952 Elizabethtown, NC 28337 | 22 DOJ 00665 Cumberland Nelson | 12 NCAC 10B.0204(d)(1): Class B misd. after appointment 12 NCAC 10B.0301(a)(7): Failure to notify | | 6/15/2022 Fayetteville | 2/22/2022: Case opened 2/23/2022: Initial Forms 3/16/2022: P-PHS 3/24/2022: R-PHS 3/25/2022: Motion-Virtual Test. 3/25/2022: Request for Response to Motion for Virtual Testimony 4/5/2022: Order allowing virtual testimony 4/29/2022: P-NOA 4/29/2022: P-Amended PHS 4/29/2022: Response to R- Motion to Allow Virtual Testimony 5/3/2022: Amended Order on virtual testimony 5/18/2022: NOH |
| Davis, Jackie | 22 DOJ 00666 Vance Bawtinimer | 12 NCAC 10B.0204(d)(1): Class B misd. after appointment 12 NCAC 10B.0301(a)(8): LGMC | | Week of 8/22/2022 Raleigh | 2/22/2022: Case opened 2/23/2022: Initial Forms 3/23/2022: P-Hearing Request 3/23/2022: P-PHS 3/23/2022: R-PHS 3/24/2022: P-PHS/Hearing Asst 5/13/2022: P-MTC 5/13/2022: Order Continuance/Reassignment |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|-----------------------------|---------------------------------------|--|---|------------------------------------|---|
| Devenport, Monty II | 22 DOJ 00667 Vance Bawtinheimer | 12 NCAC 10B.0204(d)(1): Class B misd. after appointment 12 NCAC 10B.0301(a)(7): Failure to notify | | 6/2/2022 Jacksonville | 2/22/2022: Case opened 2/23/2022: Initial Forms 3/22/2022: P-PHS 3/23/2022: R-PHS 3/25/2022: Motion-Virtual Test. 3/30/2022: Order for response to motion to allow virtual testimony 4/12/2022: Response rec'd 5/19/2022: NOH 6/1/2022: Joint Stipulations |
| Wiggins, Dante T. | 22 DOJ 01377 Pitt Turrentine | 12 NCAC 10B.0204(b)(5): Positive drug screen | 6/10/2022: PHS period ends 7/25/2022: Discovery period ends 8/1/2022: Dispositive motions period ends | Week of 8/15/2023 Farmville | 4/12/2022: Case opened 4/13/2022: Initial docs 5/10/2022: R-PHS filed 6/3/2022: 2nd Order PHS |
| Hallberg, Richard | 22 DOJ 02070 Henderson Sutton | 12 NCAC 10B.0301(a)(8): LGMC 12 NCAC 10B.0204(b)(2): Fail to meet/maintain min. employment standards | 7/5/2022: PHS period ends 8/15/2022: Discovery period ends 8/22/2022: Dispositive motions period ends | Week of 9/5/2022 Waynesville | 5/31/2022: Case opened 6/2/2022: Initial docs |
| Inman, Raymond Daryl | 22 DOJ 02069 Haywood Sutton | 12 NCAC 10B.0103(10)(b): Class B misdemeanor after appt. | 7/5/2022: PHS period ends 8/15/2022: Discovery period ends 8/22/2022: Dispositive motions period ends | Week of 9/5/2022 Waynesville | 5/31/2022: Case opened 6/2/2022: Initial docs |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--|---|---|---|-----------------------------------|---|
| Singleton, Danielle Tawanda | 22 DOJ 02110 Mecklenburg Malherbe | 12 NCAC 10B.0204(c)(1) and (2): Mat. misrepresentation | 7/6/2022: PHS period ends 9/12/2022: Discovery period ends 9/19/2022: Dispositive motions period ends | Week of 10/3/2022 Charlotte | 6/2/2022: Case opened 6/6/22: Initial docs |
| Craft, Matthew Scott | 22 DOJ 02059 Person Ward | 12 NCAC 10B.0204(d)(1): Class B misdemeanor after appointment | 6/30/2022: PHS period ends 9/5/2022: Discovery period ends 9/12/2022: Dispositive motions period ends | Week of 9/26/2022 Raleigh | 5/27/2022: Case opened 5/31.2022: Initial docs |
| NEW CASES: (Cases opened from 3/16/2022 to 6/8/2022): 5 | | | | | |
| CLOSED CASES: (Cases closed from 3/16/2022 to 6/8/2022): 7 | | | | | |
| TOTAL ACTIVE CASES: 18 | | | | | |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|---|---|--|---|--|---|
| PJR FILED CASES | | | | | |
| David, Joshua Orion <u>Counsel:</u> Barry K. Henline 115 N. 6th Street Wilmington, NC 28401 barryhenline@outlook.com | Sampson 19 DOJ 01622 Ward PJR 20 CVS 695 Duplin County Andrew Heath | <u>0301(a)(8)</u> : LGMC | | | 08/05/2020: Civil Summons, PJR and Stay of FAD 8/6/2020: Calendar request and proposed NOH 8/10/2020: Motion for Stay granted 8/28/2020: R-Response to PJR (filed 9/2020) PETITIONER HAS NOT YET SCHEDULED HEARING |
| Brian Kenneth Wayne <u>Counsel:</u> E. Lee Turner, Jr. PO Box 990 Raleigh, NC 27602 | Vance 18 DOJ 05183 Overby (reassign. 11/21) Wake 19 CV 011339 | <u>0301(a)(8)</u> : LGMC <u>0204(b)(2)</u> : Failure to notify <u>0204(a)(1)</u> : COMM felony | | | 8/20/2019: PJR filed 9/10/2019: Response to PJR PETITIONER HAS NOT YET SCHEDULED HEARING |
| Zughbi, Mahmoud Omar <u>Counsel:</u> David H. Harris, Jr. Linck Harris Law Group 2530 Meridan Parkway Suite 300 Durham NC 27713 dharris@linckharris.com | Durham 19 DOJ 01617 Overby Nash 20 CVS1066 | <u>0204(d)(1)</u> : COMM Class B misd. <u>0204(a)(1)</u> : COMM felony | February hearing did not take place. P-counsel submitted a calendar request for a trial date (December 12, 2022). | 2/7/2022 Nash County 12/12/2022 TENTATIVE | 8/1/2020: Filed FAD 8/31/2020: P-PJR filed 10/30/2020: R-Response to PRJ filed in Nash County 1/11/2022: Trial Calendar 4/13/2022: Case Status Form P filed calendar request for PJR hearing |

**PENDING ADMINISTRATIVE CASES
NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

| Petitioner | County OAH Case No. ALJ | Violation(s) | Scheduling Order | Hearing Date | Status |
|--|---|--------------|------------------|--------------|--|
| DeValle, Maurice (ACC) Counsel: J. Michael McGuinness P.O. Box 952 Elizabethtown, NC 28337 910-862-7087 jmichael@mcguinnesslaw.co m | Columbus 20 CVS 1273 Judge James Bell | | | 10/29/2021 | 12/8/2020: Served PJR (unfiled) 1/15/2021: R-Response to PJR 10/29/2021: Hearing 11/12/2021: Proposed Orders 11/22/2021: Order issued 12/20/2021: Notice of R-Appeal 1/20/2022: Served transcript docs (McGuinness, Gore, Sealey) 2/4/2021: Served ROA and 9(d) 3/3/2022: Rec'd Ps objections and proposed amendments to ROA 3/14/2022: Stipulations to ROA signed by counsel for Appellee 3/25/2022: Filed Record on Appeal 4/20/2022: Filed Motion for Extension 4/21/2022: Order granting motion 5/31/2022: D - Brief filed |