

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

DATE: March 23, 2023

TIME: 1:00 P.M.

LOCATION: Southern Shores Pitts Center located at 5377 N Virginia Dare Trail,
Southern Shores, NC 27949.

SUBMITTED BY: Richard Squires, Director

I. CALL TO ORDER

Sheriff Alan Jones

The North Carolina Sheriffs' Education and Training Standards Commission's Final Agency Decision meeting was called to order by Sheriff Alan Jones on Thursday, March 23, 2023.

Chair Alan Jones welcomed everyone to Dare County. Chair Jones requested a roll call of Commission members. Alex Radford recorded the following:

MEMBERS PRESENT

Sheriff Jack Smith
Sheriff Jeff Crisco
Sheriff Lowell Griffin
Sheriff Alan Norman
Sheriff Van Shaw
Sheriff Alan Jones
Sheriff Donald Brown
Sheriff Terry Johnson
Mr. Jamie Markham
Mr. Lorin Dingler

MEMBERS ABSENT

Sheriff Shelton White (Probable Cause)
Sheriff Mike Roberson (Probable Cause)
Sheriff John Ingram (Probable Cause)
Sheriff Ed McMahan (Probable Cause)
Sheriff Doug Doughtie (Probable Cause)
Mr. Marc Nichols

STAFF

Richard Squires - Sheriffs' Standards Division
Alex Radford - Sheriffs' Standards Division
Chris Brooks - NC Department of Justice
Benjamin Zellinger - NC Department of Justice
Kirstin Greene - NC Department of Justice

Chair Jones announced that a quorum was present.

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

VISITORS

Michael McGuinness -
Chris Anderson - NC Justice Academy
Monty Ray Devenport III - Onslow County Sheriffs' Office
Archie Johnathon Quintana - Washington County Sheriffs' Office
Christopher David Thomas - Major Onslow County
Cedric Damon Spearmon - Captain Onslow County
Scottie Lynn Dees - Robeson County Sheriff's Office
Barry K. Henline - Attorney Office of Barry K. Henline, PLLC.

OATHS

Chair Alan Jones asked Alex Radford to administer the oaths for Sheriffs' Van Shaw, Lowell Griffin and Donald Brown who were all newly appointed to the Sheriffs' Commission.

Since Sheriff Alan Jones previously served on the Probable Cause committee when these cases were heard, Sheriff Jones recused himself as the Chair for this meeting and Vice Chair Jack Smith presided over the Final Agency Decisions.

II. FINAL AGENCY DECISION

Benjamin Zellinger

***Monty Ray Devenport III**

Mr. Benjamin Zellinger addressed the Sheriffs' Commission Members and stated that Mr. Monty Devenport III is seeking to hold his certification as a Detention Office with the Onslow County Sheriff's Office. Mr. Benjamin Zellinger presented oral arguments regarding the case against Mr. Monty Devenport III. He presented that the petitioner while certified as a justice officer committed the Class B misdemeanor offense of Assault on a Female and he failed to notify the commission within five business after he was charged with the misdemeanor offense.

Vice Chair Smith asked the Commission if there were any questions. Sheriff's Donald Brown, Jeff Crisco, Van Shaw, and Lowell Griffin questioned Mr. Devenport. The petitioner's attorney, Michael McGuinness presented oral arguments regarding the case.

Attorney Michael McGuinness addressed the commission and stated that he hopes the commission adopts the administrative law judge's recommendation of one year of probation for his certification.

Mr. Devenport was recognized and addressed the Commission. He stated that he did not fail to report the charge to the commission on purpose because during that time his brother had passed away and will take responsibility for his failure to report.

Vice Chair Smith asked questions of Major Thomas, and Captain Spearman, who were present to speak regarding Mr. Devenport's character. They all spoke highly of Mr. Costner.

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

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

A **MOTION** was made by Sheriff Terry Johnson in the matter of Mr. Monty Ray Devenport III; to adopt counsel's proposed final agency decision that Mr. Devenports justice officer certification be suspended for a period of Five (5) Years; however in lieu of suspension, Mr. Devenport's justice officer certification is stayed for Six (6) months beginning September 23, 2022; seconded by Sheriff Alan Norman. **MOTION CARRIED. [Attachment #1]**

III. FINAL AGENCY DECISION

Benjamin Zellinger

*Archie Quintana

Mr. Benjamin Zellinger addressed the Sheriffs' Commission members and stated that Mr. Archie Quintana is a certified justice officer with the Washington County Sheriff's Office. In his oral argument he stated that this case has been continued from the September 2022 Commission Meeting and that Department of Justice received a draft for Probable Cause notice to start a contested case; however, Department of Justice filed a contested case notice with the Office of Administrative Hearing prior to Probable Cause notice being sent. The Department of Justice requests that the contested case be dismissed to allow normal process. The Administrative Law Judge's proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, recommends that the Commission motion to dismiss is granted, and this contested case is dismissed without prejudice.

Mr. Quintana was not present for the Final Agency Decision; However, Mr. McGuinness had his oral argument and asked the commission to recommend the ALJ's proposal for dismissal.

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

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

A **MOTION** was made by Sheriff Alan Norman to enter open session; seconded by Sheriff Van Shaw. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Jeff Crisco in the matter of Archie Quintana; that we adopt counsel's recommendation, that respondent's motion to Dismiss is granted, and this contested case is dismissed without prejudice; seconded by Sheriff Terry Johnson. **MOTION CARRIED. [Attachment #2]**

IV. FINAL AGENCY DECISION

Kirstin Greene

***Scottie Lynn Deese**

Ms. Kirstin Greene addressed the Sheriffs' Commission members and stated that Mr. Scottie Lynn Deese holds justice officer certification with the Robeson County Sheriff's Office. In her oral argument she stated petitioner obtained certification with the Sheriffs' Office in 2020. The alleged rule violation is he knowingly made misrepresentation on his application required for certification. He was charged with Commission of a felony; burning of personal property when he was under the age of 18 and Convicted of a felony of personal property.

In Ms. Greene's oral argument, she recommends to the Commission to reverse the recommendation in the proposed Final Agency Decision to revoke his justice officer certification permanently and that the commission take no action since the felony was expunged. As for the material misrepresentation, Ms. Greene recommends his certification be placed on probation for 5 years.

Mr. Barry Hinline, Mr. Deese Attorney, had his oral argument and asked the commission to dismiss the case since he was 18 years old at the time, he committed the crime.

Ms. Deese asked the commission to dismiss the case since it was so long ago and that since he went into the military he has changed and wants to make a difference in his community.

Vice Chair Smith asked the Commission if there were any questions. The Commission asked Mr. Deese several questions regarding his case.

A **MOTION** was made by Sheriff Donald Brown to enter a closed session; seconded by Sheriff Van Shaw. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Alan Norman to enter open session; seconded by Sheriff Jeff Crisco. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Van Shaw in the matter of Scottie Lynn Deese; that we Adopt proposed counsels Final Agency Decision to revoke permanently for his prior felony conviction, and for a period of Five (5) Years due to violation of 12 NCAC 10B.0204(c)(1) and (2), seconded by Sheriff Jeff Crisco. **MOTION CARRIED. [Attachment #3]**

V. FINAL AGENCY DECISION

Kirstin Greene

***Matthew Scott Craft**

Ms. Kirstin Greene addressed the Sheriffs' Commission members and stated that Mr. Matthew Scott Craft holds justice officer certification with the Person County Sheriff's Office. In her oral argument she stated an administrative hearing was held on October 6, 2022, before administrative Law Judge, John C. Evans regarding whether Petitioner's justice officer certification should be denied based on the grounds that Petitioner committed a Class B Misdemeanor offense of Assault on a Female. Mr. Craft was not present at the decision.

On December 15, 2022, Judge Evans filed his Proposal for Decision, and recommended that Petitioner retain his justice officer certification.

Vice Chair Smith asked the Commission if there were any questions. Negative Response.

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

A **MOTION** was made by Sheriff Alan Norman to enter open session; seconded by Sheriff Lowell Griffin. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Alan Norman in the matter of Matthew Scott Craft; that we Adopt proposed counsels Final Agency Decision, that his certification is revoked indefinitely for a lack of good moral character required for all justice officers and for a period of Five (5) Years for the commission of a Class B Misdemeanor Assault on a Female, seconded by Sheriff Lowell Griffin. **MOTION CARRIED. [Attachment #4]**

VI. FINAL AGENCY DECISION

Kirstin Greene

***George Keith Sizemore**

Ms. Kirstin Greene addressed the Sheriffs' Commission members and stated that Mr. George Keith Sizemore holds justice officer certification with the Yadkin County Sheriff's Office. In her oral argument she stated petitioner Alleged rule violation class b mis nc10b.0204D damage to personal property and Failure to report NC10b0204B. Mr. Sizemore was not present at the Final Agency Decision.

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ordered that petitioner's certification Not Be Denied and instead be placed in a probationary status for two years on condition that his not violate commission rules or commit a criminal offense.

Vice Chair Smith asked the Commission if there were any questions. Negative Response.

A **MOTION** was made by Sheriff Lowell Griffin to enter a closed session; seconded by Sheriff Jeff Crisco. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Van Shaw to enter open session; seconded by Sheriff Lowell Griffin. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Terry Johnson in the matter of George Keith Sizemore; that we Adopt proposed counsels Final Agency Decision Not Be Denied and instead be placed in a probationary status for two years on condition that his not violate commission rules or commit a criminal offense, seconded by Sheriff Van Shaw. **MOTION CARRIED. [Attachment #5]**

VII. FINAL AGENCY DECISION

Kirstin Greene

***Michael Anthony Roberts**

Ms. Kirstin Greene addressed the Sheriffs' Commission members and stated that Mr. Michael Anthony Roberts held justice officer certification with the Robeson County Sheriff's Office but has since then separated. In her oral argument she stated the petitioner had failed to comply with interlocutory orders and for failure to prosecute the matter was dismissed with prejudice. Based on this, his certification is revoked for a period of Three (3) years.

Vice Chair Smith 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 Sheriff Lowell Griffin. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Alan Norman to enter open session; seconded by Sheriff Donald Brown. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Jeff Crisco in the matter of Michael Anthony Roberts; that we Adopt counsels for the commission proposed FAD with this dismissal the finding of the probable cause committee of a violation of rule .0204c (5) is in effect with a revocation of certification for three years., seconded by Sheriff Lowell Griffin. **MOTION CARRIED. [Attachment #6]**

VIII. LEGAL COUNSEL'S REPORT

Ms. Kirstin Greene summarized Legal Counsel's Report. Ms. Greene reviewed the various stages of litigation for the administrative cases as follows:

[See Attachment #7]

- 16 cases including 6 Final Agency Decisions heard today.
- 3 cases OAH Hearings since last Commission Meeting
- 2 new cases since November 2022 meeting

IX. ADJOURNMENT

A **MOTION** by Sheriff Jack Smith to adjourn the March 2023 Sheriffs' Final Agency Decision meeting; Seconded by Sheriff Jeff Crisco. **MOTION CARRIED.**

Attachment 1

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

Monty Ray Devenport III

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 2

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

Archie Quintana

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 3

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

Scottie Lynn Deese

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 4

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

Matthew Scott Craft

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 5

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

George Keith Sizemore

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 6

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

Michael Anthony Roberts

DATE:3/23/2023

MEMBERS ELIGIBLE TO VOTE	Yes	No
Sheriff Don Brown	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Jones		
Sheriff Van Shaw	X	
Sheriff Alan Norman	X	
Sheriff Terry Johnson	X	
Sheriff Lowell Griffin	X	
Mr. Marc Nichols		
NON-VOTING MEMBERS		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

Attachment 7

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</p> <p>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</p> <p>12 NCAC 10B.0204(c)(1)(2): Mat. misrepresentation</p>	<p>MARCH 2023 FAD</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 6/29/2022: ALJ PFD 6/30/2022: NOR Ltr 3/2/2023: FAD 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
<p>Devenport, Monty II</p> <p>Counsel: J. Michael McGuinness PO Box 952 Elizabethtown, NC 28337 910-862-7087 jmichael@mcguinnesslaw.com</p>	<p>22 DOJ 00667 Vance Bawtinhimer</p>	<p>12 NCAC 10B.0204(d)(1): Class B misd. after appointment</p> <p>12 NCAC 10B.0301(a)(7): Failure to notify</p>	<p>MARCH 2023 FAD</p>	<p>6/2/2022 Jacksonville</p>	<p>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 7/18/2022: Order P-file PFD 8/1/2022: P-PFD 9/6/2022: ALJ PFD 9/7/2022: NOR Ltr 11/14/2022: FAD Notice 11/18/2022: P-NOA 3/2/2023: FAD 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
<p>Inman, Raymond Daryl</p> <p>Counsel: John R. Sutton, Jr. THE SUTTON FIRM, PA P.O. Box 145 Candler, NC 28715 828-667-5476</p>	<p>22 DOJ 02069 Haywood Malherbe</p>	<p>12 NCAC 10B.0103(10)(b): Class B misdemeanor after appt.</p>		<p>11/8/2022 WebEx</p>	<p>5/31/2022: Case opened 6/2/2022: Initial docs 7/1/2022: P-MTC 7/5/2022: Order XT PHS 7/5/2022: R-PHS 8/17/2022: Motion to allow virtual testimony 8/23/2022: P-NOA, MTC and Resp to R-M virtual testimony 8/24/2022: Order Continuance and 2nd Order X Time-PHS and Order of Reassignment 9/1/2022: Order allow VT 9/13/2022: P-PHS 10/18/2022: Joint MTC 10/21/2022: NOVH 10/31/2022: Joint Stipulations 11/9/2022: Order for P-PFD 11/29/2022: P-PFD 1/4/2023: ALJ PFD 3/2/2023: 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
Craft, Matthew Scott Counsel: Brian Aus PO Box 1345 Durham, NC 27702 919-666-7690 brianauslaw@gmail.com	22 DOJ 02059 Person Evans	12 NCAC 10B.0204(d)(1): Class B misdemeanor after appointment	MARCH 2023 FAD	10/6 & 10/7/2022 Raleigh	5/27/2022: Case opened 5/31/2022: Initial docs 6/27/2022: P-PHS 6/29/2022: R-PHS 7/12/2022: Order Reassignmt 7/13/2022: P-NOA 8/31/2022: NOH 9/21/2022: Order Reassignmt 10/4/2022: Joint Stipulations 10/10/2022: Order to File PFD 10/21/2022: Transcript Filed 11/21/2022: Transcript rec'd 12/5/2022: P & R PFDs filed 12/15/2022: ALJ PFD 12/21/2022: NOR Letter 3/2/2023: FAD Notice
Sizemore, George Keith	22 DOJ 02316 Yadkin Dills	12 NCAC 10B.0301(a)(8): Failure to Notify 12 NCAC 10B.0204(d)(1): Class B misdemeanor after appointment	MARCH 2023 FAD	10/24/2022 High Point	6/17/2022: Case opened 6/21/2022: Initial docs 7/19/2022: R-PHS 7/21/2022: P-PHS/Hear Asst 9/26/2022: NOH 11/30/2022: R-PFD 12/13/2022: ALJ PFD 12/14/2022: NOR Ltr 3/2/2023: FAD 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
Moore, Kevin (JPC)	22 DOJ 03174 Harnett Lassiter	12 NCAC 10B.0301(a)(8): Failure to notify		01/10/2023 Fayetteville	8/19/2022: Case opened 8/23/2022: Initial docs 9/20/2022: R-PHS 9/28/2022: 2nd Order P-PHS 10/6/2022: P-PHS 11/2/2022: NOH 11/22/2022: R-MTC 11/23/2022: Order Reassignment 11/23/2022: Order Continuance 12/12/2022: NOH 12/12/2022: R-NOA 1/25/2023: R-PFD & admitted exhibits 2/24/2023: ALJ PFD 3/17/2023: 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>Taylor, Dylan Kimsey [Jocelyn Wright]</p> <p>Counsel: Zeyland G. McKinney, Jr. McKINNEY LAW FIRM, PA 135 Peachtree Street, Ste 2 Murphy, NC 28906 828-837-9973 zmckinney2@gmail.com</p>	<p>22 DOJ 03175 Wake Turrentine</p>	<p>12 NCAC 10B.0204(d)(3): Combination of Class B misd.</p>		<p>01/24/2022 Raleigh</p>	<p>8/19/2022: Case opened 8/23/2022: Initial docs 9/19/2022: P-PHS 9/20/2022: R-PHS 9/21/2022: R-M Virt Test 9/22/2022: Order re P-response to motion 10/3/2022: P-Resp to motion 10/4/2022:: Order denying motion for virutal testimony 10/25/2022: NOH 11/18/2022: Order Reassignmt 11/21/2022: R-MTC 11/21/2022: Order deny MTC 12/2/2022: R-NOA 12/6/2022: R-MTC 12/9/2022: Order Continuance 1/5/2023: NOH/Pre-hearing Order 1/25/2023: Post-hearing scheduling order 1/30/2023: Admitted Exh filed 1/30/2023: OAH Transcript K filed 3/1/2023: Transcript Filed 3/15/2023: R-PFD filed</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
Gaddis, Robert Shawn Counsel: Bill J. Jones 89 Walnut Street Waynesville, NC 28786 828-456-2886	22 DOJ 03415 Haywood Sutton	12 NCAC 10B.0204(c)(1)(2): Mat. Misrepresentation		12/8/2022 Waynesville	9/7/2022: Case opened 9/12/2022: Initial docs 9/27/2022: P-NOA 10/10/2022: R-PHS 10/21/2022: P-PHS 11/15/2022: NOH 11/6/2022: Joint Stipulations 12/9/2022: R-PFD/Amended 12/9/2022: Post-hearing Order 12/14/2022: R-NOA [BZ] 1/23/2023: ALJ PFD 2/9/2023: NOR Ltr
Covell, Jacquelyn [Arneatha James]	22 DOJ 03476 Currituck Evans	12 NCAC 10B.0301(a)(8): Failure to notify		01/17/2023 Ayden	9/12/2022: Case opened 9/13/2022: Initial docs 10/4/2022: NOH 10/11/2022: R-PHS 10/11/2022: P-PHS 11/30/2022: R-MTC 12/2/2022: R-NOA [AJ] 12/5/2022: Order Continuance 12/6/2022: NOH 1/18/2023: Admitted Exh Filed 1/31/2023: Order to File PFD 2/28/2023: Transcript Filed 3/10/2023: R-PFD 3/17/2023: ALJ PFD 3/17/2023: 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
Drakeford, Calvin Lemorse (Meredith Britt)	22 DOJ 03475 Guilford Dills	12 NCAC 10B.0204(c)(1)(2): Material misrepresentation	3/31/2023: Deadline to file PFD	01/23/2022 High Point	9/12/2022: Case opened 9/13/2022: Initial docs 10/12/2022: R-PHS 10/19/2022: 2nd Order P-PHS 10/28/2022: P-PHS & Hearing Assistant Form 11/17/2022: NOH 11/22/2022: R-MTC 11/29/2022: Order allowing P- response to R-MTC 12/2/2022: R-NOA [MB] 12/7/2022: Order Continuance 12/22/2022: NOH 1/25/2023: Interim Order
Sands, Emileigh Counsel: Nathan Earwood 461 East Main Street Sylva, NC 28779 828-354-4300 nathan@wncdefenselawyer.com	22 DOJ 03474 Macon Sutton	12 NCAC 10B.0204(c)(1)(2): Material misrepresentation		12/8/2022 Waynesville	9/12/2022: Case opened 9/13/2022: Initial docs 10/6/2022: P-PHS 10/12/2022: R-PHS 11/15/2022: NOH 11/29/2022: P-NOA 12/9/2022: R-PFD 12/9/2022: Post-hearing Order 12/14/2022: R-NOA 12/8/2022: Joint Stipulations 1/23/2023: ALJ PFD 2/8/2023: 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
Roberts, Michael Anthony	22 DOJ 03663 Robeson Bawtinhimer	12 NCAC 10B.0204(c)(5): Denial for correctional officer certification by CJ Standards	MARCH 2023 FAD		9/26/2022: Case opened 9/28/2022: Initial docs 11/1/2022: R-PHS 11/3/2022: 2nd Order P-PHS 11/15/2022: ALJ PFD 2/22/2023: Agency Final Decision Letter 3/2/2023: FAD Notice
Quintana, Archie [KM] Counsel: J. Michael McGuinness PO Box 952 Elizabethtown, NC 28337 910-862-7087 jmichael@mcguinnesslaw.com	22 DOJ 04222 Bladen Nelson	12 NCAC 10B.0301(a)(8): LGMC	MARCH 2023 FAD		11/7/2022: Case opened 11/8/2022: Initial docs 12/5/2022: P-PHS 12/13/2022: R-NOA [KM] 12/13/2022: 2nd Order R-PHS 12/13/2022: R-PHS 12/13/2022: R-MTD 12/19/2022: ALJ PFD 12/21/2022: NOR Letter 2/22/2023: Agency Final Decision Letter 3/2/2023: FAD Notice
Gilliam, Nathaniel Counsel: Jamal M. Summey Webb Webb & Summey PA Post Office Drawer 389 Scotland Neck, NC 27874	22 DOJ 04731 Martin Lassiter	12 NCAC 10B.0204(d)(1): Class B misd. after appointment	03/27/2023: Discovery period ends 04/03/2022: Dispositive motions period ends	5/2/2023 Greenville	12/12/2022: Case opened 12/13/2022: Initial docs 1/4/2023: P-PHS 1/12/2023: R-PHS 3/16/2023: NOH

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

Petitioner	County OAH Case No. ALJ	Violation(s)	Scheduling Order	Hearing Date	Status
Coffer, Fallon	22 DOJ 04730 Wake Byrne	12 NCAC 10B.0204(a)(1): COMM of felony	04/03/2023: Discovery period ends 04/10/2022: Dispositive motions period ends	05/12/2023 Raleigh	12/12/2022: Case opened 12/13/2022: Initial docs 1/11/2023: P-PHS 1/12/2023: R-PHS 2/2/2023: Order Reassignment 2/2/2023: NOH
NEW CASES: 2 (Cases opened from 11/23/2022 to 3/17/2023):					
CLOSED CASES: 3 (Cases closed from 11/23/2022 to 3/17/2023):					
TOTAL ACTIVE CASES: 16					

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) 7/25/2022: NOA Filed [RJP] 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	STATUS OF 7/5/2022 HEARING PENDING		8/20/2019: PJR filed 9/10/2019: Response to PJR 07/04/2022: Trial Calendar 07/21/2022: NOA Mailed (RJP)
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	PJR Hearing scheduled for 4/17/2023 - Nash County	12/12/2022 PJR Hearing	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 06/02/2022: NOA Mailed [RJP] 11/14/2022: Rec'd notice of hearing date via email from Petit.

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>DeValle, Maurice (ACC)</p> <p>Counsel: J. Michael McGuinness P.O. Box 952 Elizabethtown, NC 28337 910-862-7087 jmichael@mcguinnesslaw.com</p>	<p>Columbus 20 CVS 1273 Judge James Bell</p>		<p>Appellate decision pending</p>	<p>10/29/2021</p>	<p>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</p>