

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

**DATE:** November 28, 2022  
**TIME:** 1:00 P.M.  
**LOCATION:** Hilton Garden Inn-Gastonia, 444 Cox Road, Gastonia, NC 28054.  
**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 Monday, November 28, 2022.

Chair Cloninger welcomed everyone to Gaston County. Chair Cloninger requested a roll call of Commission members. Alex Radford recorded the following:

**MEMBERS PRESENT**

Sheriff Shelton White  
Sheriff Jack Smith  
Sheriff Jeff Crisco  
Sheriff Mike Roberson  
Sheriff Terry Johnson  
Sheriff Alan Cloninger  
Sheriff Doug Doughtie  
Retired Sheriff David Smith  
Mr. Marc Nichols  
Mr. Lorin Dinger  
Mr. Jamie Markham

**MEMBERS ABSENT**

Sheriff Alan Norman  
Sheriff John Ingram (Probable Cause)  
Sheriff Alan Jones (Probable Cause)  
Sheriff Ed McMahon (Probable Cause)  
Sheriff Ricky Oliver (Probable Cause)  
Sheriff Alan Jones (Probable Cause)  
Sheriff David Mahoney (Probable Cause)

**STAFF**

Richard Squires - 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.

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**

Captain Monica L. Becton  
Chief Deputy Gary A. Williams  
William Gus Anthony

Gaston County Sheriff's Office  
Gaston County Sheriff's Office  
Attorney

**OATHS**

Chairman Cloninger asked Alex Radford to administer the oaths for Sheriff Jeff Crisco who was newly appointed to the commission and Sheriff Terry Johnson who was re-appointed to his seat on the Commission.

## II. FINAL AGENCY DECISION

Bob Pickett

### \*Caleb Dean Costner

Chair Cloninger recused himself for the matter of Caleb Dean Costner. Vice Chair Jack Smith presided over the matter of Caleb Dean Costner.

Mr. Bob Pickett addressed the Sheriffs' Commission Members and stated that Mr. Caleb Dean Costner is seeking certification as a Deputy Sheriff with the Gaston County Sheriff's Office. Mr. Bob Pickett presented oral arguments regarding the case against Mr. Caleb Dean Costner. He presented that the petitioner lacks good moral character.

Vice Chair Smith asked the Commission if there were any questions. Sheriff's Terry Johnson, Jeff Crisco, Doug Doughtie, Mike Roberson, Shelton White and Mr. Marc Nichols questioned Mr. Costner. The petitioner's attorney, William Augustus presented oral arguments regarding the case.

Attorney Augustus does not dispute anything that Mr. Bob Pickett presented to the commission but disagrees with the Administrative Law Judge's proposed decision to deny Mr. Costner's justice Officer Certification.

Mr. Costner was recognized and addressed the Commission. He stated that he regrets what he did and admits wrongdoing but believes that he has shown good moral character over the past four years working within the Gaston County Sheriff's Office.

Vice Chair Smith asked questions of Captain Monica L. Becton, Chief Deputy Gary A. Williams, and Sheriff Alan Cloninger, who were present to speak regarding Mr. Costner's character. They all spoke highly of Mr. Costner and said that he has grown from those incidents.

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

A **MOTION** was made by Sheriff Shelton White to enter open session; seconded by Mr. Marc Nichols. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Terry Johnson in the matter of Mr. Caleb Dean Costner; we adopt counsel's proposed decision that Mr. Costner's justice officer certification be denied indefinitely; seconded by Sheriff Doug Doughtie. **MOTION CARRIED. [Attachment #1]**

**III. FINAL AGENCY DECISION**

**Bob Pickett**

**\*Joshua Ryan Core**

Retired Sheriff David Smith recused himself for the matter of Joshua Ryan Core.

Mr. Bob Pickett addressed the Sheriffs' Commission members and stated that Mr. Joshua Ryan Core is an applicant for justice officer certification with the Granville County Sheriff's Office. In his oral argument he stated that this case has been continued from the September 2022 Commission Meeting. The Administrative Law Judge's proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, recommends that the Commission deny the petitioner's justice officer certification for five years.

Mr. Core was not present for the Final Agency Decision.

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

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

A **MOTION** was made by Mr. Marc Nichols to enter open session; seconded by Sheriff Jack Smith. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Mike Roberson in the matter of Joshua Ryan Core; that we adopt counsel's recommendation, that his certification be denied for five years; seconded by Sheriff Shelton White. **MOTION CARRIED. [Attachment #2]**

**IV. FINAL AGENCY DECISION**

**Bob Pickett**

**\*Jackie Yvonne Davis**

Mr. Bob Pickett addressed the Sheriffs' Commission members and stated that Ms. Jackie Yvonne Davis holds justice officer certification with the Vance County Sheriff's Office.

In his oral argument he stated Ms. Davis was convicted of Misdemeanor Larceny, a Class B misdemeanor in 2013. While petitioner did commit the violation for which respondent found probable cause, due to mitigating circumstances, including the age of the violations at issue, petitioner's admission of them by stipulation and testimony, and petitioner's otherwise creditable professional history lack of criminal activity or rule violations, a probationary sanction is an appropriate resolution. The Administrative Law Judge's proposal for decision based on the foregoing Findings of Fact and Conclusions of Law, recommends that the petitioner's justice officer certification be placed on probationary status for one year.

Ms. Davis was not present for the Final Agency Decision.

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

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

A **MOTION** was made by Mr. Marc Nichols to enter open session; seconded by Sheriff Shelton White. **MOTION CARRIED.**

A **MOTION** was made by Sheriff Doug Doughtie in the matter of Jackie Yvonne Davis; that we accept counsel's recommendation, and not deny her certification but place her on probation for one year; seconded by Sheriff Terry Johnson. **MOTION CARRIED. [Attachment #3]**

## **V. FINAL AGENCY DECISION**

**Bob Pickett**

Mr. Bob Pickett addressed the Sheriffs' Commission members and asked the Commission to continue the two remaining cases since the petitioners did not show up to the meeting.

Chair Cloninger asked the Commission if there were any questions. Negative response. The Final Agency Decisions for Scottie Lynn Deese and Monty Devenport III were continued to the March 2023 meeting.

## **VI. LEGAL COUNSEL'S REPORT**

Mr. Bob Pickett summarized Legal Counsel's Report. Mr. Pickett reviewed the various stages of litigation for the administrative cases as follows:

**[See Attachment #4]**

- 18 cases including 3 Final Agency Decisions heard today
- 2 new cases since September
- 2 Petition for Judicial Review cases

## **IX. ADJOURNMENT**

A **MOTION** by Sheriff Doug Doughtie to adjourn the November 2022 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**

**Caleb Dean Costner**

<b>MEMBERS ELIGIBLE TO VOTE</b>	<b>Yes</b>	<b>No</b>
Sheriff Shelton White	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
<del>Sheriff Alan Cloninger</del>		
Sheriff Mike Roberson	X	
<del>Sheriff Alan Norman</del>		
Sheriff Terry Johnson	X	
Sheriff Doug Doughtie	X	
Retired Sheriff David Smith	X	
Mr. Marc Nichols	X	
<b>NON-VOTING MEMBERS</b>		
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**

**Joshua Ryan Core**

<b>MEMBERS ELIGIBLE TO VOTE</b>	<b>Yes</b>	<b>No</b>
Sheriff Shelton White	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Cloninger	X	
Sheriff Mike Roberson	X	
<del>Sheriff Alan Norman</del>		
Sheriff Terry Johnson	X	
Sheriff Doug Doughtie	X	
Retired Sheriff David Smith	X	
Mr. Marc Nichols	X	
<b>NON-VOTING MEMBERS</b>		
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**

**Jackie Yvonne Davis**

<b>MEMBERS ELIGIBLE TO VOTE</b>	<b>Yes</b>	<b>No</b>
Sheriff Shelton White	X	
Sheriff Jack Smith	X	
Sheriff Jeff Crisco	X	
Sheriff Alan Cloninger	X	
Sheriff Mike Roberson	X	
<del>Sheriff Alan Norman</del>		
Sheriff Terry Johnson	X	
Sheriff Doug Doughtie	X	
Retired Sheriff David Smith	X	
Mr. Marc Nichols	X	
<b>NON-VOTING MEMBERS</b>		
Mr. Jamie Markham proxy for Mike Smith		
Mr. W. Lorin Dingler		

# Attachment 4

**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><b>Core, Joshua</b></p> <p><b>NEW ADDRESS:</b>            Joshua Ryan Core            402 East Main Street            Belle Center, Ohio 43310</p>	<p>21 DOJ 01688            Wake            Ward</p>	<p>12 NCAC            10B.0204(c)(1)(2): Mat.            Misrepresentation</p>	<p><b>NOVEMBER FAD</b></p>	<p>9/28/2021            Raleigh</p>	<p>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</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><b>Costner, Caleb Dean</b></p> <p><b>Counsel:</b>  William A. Anthony III  223 W. Main Street  PO Box 981  Gastonia, NC 28053  bogleandanthony@gmail.com</p>	<p>21 DOJ 03745  Gaston  Malherbe</p>	<p>12 NCAC 10B.0301(a)(8):  LGMC</p> <p>12 NCAC 10B.0204(b)(2):  Fail to meet/maintain min.  employment standards</p>	<p><b>NOVEMBER FAD</b></p>	<p>3/14/2022  WebEx</p>	<p>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</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><b>Deese, Scottie</b></p> <p><b>Counsel:</b>  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><b>MARCH 2023 FAD</b>  <b>P-Oral arguments</b></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</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><b>Davis, Jackie</b></p> <p><b>Counsel:</b>  Daniel Meier  MEIER LAW GROUP  100 E. Parrish St.  Suite 300  Durham, NC 27701  919-455-3800  daniel@meierlegal.com</p>	<p>22 DOJ 00666  Vance  Byrne</p>	<p>12 NCAC 10B.0204(d)(1):  Class B misd. after  appointment</p> <p>12 NCAC 10B.0301(a)(8):  LGMC</p>	<p><b>NOVEMBER FAD</b></p>	<p>10/5/2022  Raleigh</p>	<p>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  7/6/2022: NOH  7/29/2022: P-MTC  7/29/2022: Order Reassignmt  7/29/2022: NOH  8/1/2022: P-Email rec'd OAH  9/13/2022: P-2nd MTC  9/13/2022: Order deny P-MTC  9/30/2022: P-NOA  10/4/2022: Joint Stipulations  10/12/2022: 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
<b>Devenport, Monty II</b>  <u>Counsel:</u> J. Michael McGuinness	22 DOJ 00667 Vance Bawtinhimer	12 NCAC 10B.0204(d)(1): Class B misd. after appointment  12 NCAC 10B.0301(a)(7): Failure to notify	<b>MARCH 2023 FAD</b>	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 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

**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><b>Inman, Raymond Daryl</b></p> <p><b>Counsel:</b>            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><b>12/9/2022: Deadline for            Petitioner to file PFD</b></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</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
<b>Craft, Matthew Scott</b>  <b>Counsel:</b> 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	<b>12/21/2022: PFD due</b>	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
<b>Sizemore, George Keith</b>	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	<b>11/23/2022: PFD due</b>	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
<b>Moore, Kevin</b>	22 DOJ 03174 Harnett Bawtinheimer	12 NCAC 10B.0301(a)(8): Failure to notify	11/28/2022: Dispositive motions period ends	12/12/2022 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

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

Petitioner	County OAH Case No. ALJ	Violation(s)	Scheduling Order	Hearing Date	Status
<b>Taylor, Dylan Kimsey</b>  <b>Counsel:</b> Zeyland G. McKinney, Jr. MCKINNEY LAW FIRM, PA 135 Peachtree Street, Suite 2 Murphy, NC 28906 828-837-9973 zmckinney2@gmail.com	22 DOJ 03175 Wake Lassiter	12 NCAC 10B.0204(d)(3): Combination of Class B misd.	11/28/2022: Dispositive motions period ends	12/13/2022 Raleigh	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
<b>Gaddis, Robert Shawn</b>  <b>Counsel:</b> 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
<b>Covell, Jacquelyn</b>	22 DOJ 03476 Currituck Byrne	12 NCAC 10B.0301(a)(8): Failure to notify	11/28/2022: Dispositive motions period ends	12/15/2022 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

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

Petitioner	County OAH Case No. ALJ	Violation(s)	Scheduling Order	Hearing Date	Status
<b>Drakeford, Calvin Lemorse</b>	22 DOJ 03475 Guilford Dills	12 NCAC 10B.0204(c)(1)(2): Material misrepresentation	1/21/2022: Discovery period ends 11/28/2022: Dispositive motions period ends	12/12/2022 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
<b>Sands, Emileigh</b>	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
<b>Roberts, Michael Anthony</b>	22 DOJ 03663 Robeson Bawtinheimer	12 NCAC 10B.0204(c)(5): Denial for correctional officer certification by CJ Standards	11/28/2022: Dispositive motions period ends  <b>ALJ PROPOSED DISMISSAL</b>	<b>VACATED</b>	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
<b>Quintana, Archie</b>  <b>Counsel:</b> J. Michael McGuinness	22 DOJ 04222 Bladen Nelson		12/8/2022: PHS period ends 02/20/2023: Discovery period ends 02/27/2023: Dispositive motions period ends	Week of 03/13/2023 Fayetteville	11/7/2022: Case opened 11/8/2022: 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
<b>NEW CASES:</b> (Cases opened from 9/14/2022 to 11/22/2022): 2  <b>CLOSED CASES:</b> (Cases opened from 9/14/2022 to 11/22/2022): 4  <b>TOTAL ACTIVE            CASES: 18</b>					

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

Petitioner	County OAH Case No. ALJ	Violation(s)	Scheduling Order	Hearing Date	Status
<b>PJR FILED CASES</b>					
<b>David, Joshua Orion</b>  <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] <b>PETITIONER HAS NOT YET SCHEDULED HEARING</b>
<b>Brian Kenneth Wayne</b>  <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	<b>STATUS OF 7/5/2022 HEARING PENDING</b>		8/20/2019: PJR filed 9/10/2019: Response to PJR <b>07/04/2022: Trial Calendar</b> 07/21/2022: NOA Mailed (RJP)
<b>Zughbi, Mahmoud Omar</b>  <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		<b>12/12/2022 PJR Hearing</b>  <b>4/17/2023 PJR Hearing</b> Nash County	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><b>DeValle, Maurice (ACC)</b></p> <p><b>Counsel:</b>  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>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>