

NEWS RELEASE

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February 29, 2016

Jury convicts habitual impaired driver; 13 other DWI drivers convicted

CHARLOTTE, N.C. – A total of 24 defendants were convicted by the Mecklenburg County District Attorney's Misdemeanor Appeals Team during a recent three-week span. Of that number, 14 were defendants convicted of impaired driving. The Misdemeanor Appeals Team tried eight defendants, and others pled guilty or remanded their cases to District Court for sentencing. The proceedings were held February 8-26, 2016, in courtrooms 5130 and 5170 before The Honorable Stanley Allen, The Honorable Hugh B. Lewis and The Honorable Forrest D. Bridges, Superior Court Judges.

The Misdemeanor Appeals Team prosecutes cases in which the defendant was convicted in District Court and then appealed his or her conviction to Superior Court for a jury trial, as allowed under North Carolina law.

Robert Winecoff, Jr., 36, was tried for habitual driving while impaired. The jury found him *guilty*. Judge Allen sentenced Winecoff to 15-18 months in prison.

Lindy Hoeun, 25, was tried for 1) misdemeanor flee to elude, 2) failure to heed lights or sirens, 3) reckless driving to endanger, 4) no operator's license and 5) speeding 80 mph in a 35 mph zone. The jury found him *guilty* as charged. Judge Allen sentenced Hoeun to 100 days in the Mecklenburg County Jail.

Ysay Canales, 39, was tried for driving while impaired. The jury found him *guilty*. Judge Allen sentenced Canales to 6-12 months in prison; that sentence was suspended pending his successful completion of 12 months of unsupervised probation. As a condition of his probation, Canales must serve 15 days in the Mecklenburg County Jail.

Prasana Kaliramakrishna, 29, was tried for 1) driving while impaired and 2) reckless driving to endanger. The jury found him *guilty* as charged. Judge Bridges sentenced Kaliramakrishna to 4 months in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation, 48 hours of community service and substance abuse treatment.

Anthony Searls, 33, was tried for carrying a concealed gun. The jury found him *guilty*. Judge Allen sentenced Searls to 45 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 12 months of unsupervised probation. As a condition of his probation, Searls must serve 1 day in jail. Judge Allen ordered that the gun remain in the custody of the Mecklenburg County Sheriff's Office.

Brittany Thompson, 24, was tried for driving while impaired. The jury found her *guilty*. Judge Allen sentenced Thompson to 14 days in the Mecklenburg County Jail; that sentence was suspended pending her successful completion of 12 months of unsupervised probation and 24 hours of community service.

Thomas Bernard Thomas, 45, was tried for 1) driving while impaired and 2) speeding 75 mph in a 55 mph zone. The jury found him *responsible* of the lesser-included charge of exceeding the safe speed and *not guilty* of driving while impaired. Judge Allen ordered Thomas to pay a \$100 fine.

Mitchell Stone, 31, was tried for driving while impaired. The jury found him *not guilty*.

The following defendants are among those who pled guilty:

Gervard Weathers, 27, pled guilty to resisting a public officer. Weathers was sentenced to 13 days in the Mecklenburg County Jail.

Jeffrey Goins, 32, pled guilty to 1) assault on a female and 2) simple assault. Goins was sentenced to 75 days in the Mecklenburg County Jail; that sentence was suspended pending his successful completion of 18 months of supervised probation, a substance abuse assessment and a mental health assessment. He was also sentenced to an additional 45 days in jail; that sentence was suspended pending his successful completion of 18 months of supervised probation.

Note: Misdemeanors and infractions are originally prosecuted in district court in North Carolina. In criminal district court, a judge determines guilt, not a jury; this is commonly referred to as a "bench trial." However, defendants have a right to appeal a conviction from the district court to the superior court for a trial de novo. The new trial in superior court must be a jury trial, not a bench trial. In a de novo trial, the jury cannot be informed that a district court judge previously found the defendant guilty; further, a record of any evidence, including testimony, from district court may not be introduced. While the DA's Office prosecutes nearly 225,000 misdemeanors and infractions each year in district court in Mecklenburg County, each defendant is entitled to exercise his/her right to appeal to the superior court. When a misdemeanor or infraction occupies the limited time available in our superior courtrooms, it the intent of the DA's Office to keep the public informed of the results through news releases like this one. Due to the volume of misdemeanors and infractions prosecuted in district court each day, reports like this are not possible for all of those cases.

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