

NEWS RELEASE

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Guilty verdicts send 2 habitual felons to prison; another pleads guilty

CHARLOTTE, N.C. – Two habitual felons were convicted by juries and sent to prison, and a third pled guilty during the week of July 13, 2015. The defendants were prosecuted by the Mecklenburg County District Attorney's Habitual Felon Team. The proceedings were held in courtrooms 5150 and 5370 before The Honorable W. Todd Pomeroy and The Honorable Carla N. Archie, Superior Court Judges.

Timothy Chadwick Fleming, 40, was tried for 1) common law robbery, 2) conspiracy to commit common law robbery, 3) felony larceny and 4) being a habitual felon. A jury found Fleming *guilty* of common law robbery, conspiracy to commit common law robbery, the lesser-included offense of misdemeanor larceny and being a habitual felon. Judge Archie sentenced Fleming to 216-384 months in prison. Some of Fleming's prior convictions include felony larceny, larceny from a merchant, attempted obtaining property by false pretenses and being a habitual felon.

Mario Donye Gullette, 36, was tried for 1) possession with the intent to sell or deliver cocaine and 2) being a habitual felon. A jury found Gullette *guilty* of possession of cocaine. Gullette then pled guilty to being a habitual felon. Judge Pomeroy sentenced Gullette to 40-60 months in prison.

Marlan Aparicio Mann, 55, was tried for 1) attempted first-degree burglary and 2) being a habitual felon. A jury found him *not guilty* of attempted first-degree burglary. As a result of the verdict, the State was unable to proceed on the habitual felon charge.

Prior to being called for trial, Gercobe McClain, 27, pled guilty to 1) resisting a public officer, 2) possession of drug paraphernalia, 3) misdemeanor possession of marijuana, 4) possession of cocaine and 5) being a habitual felon. Judge Pomeroy sentenced McClain to 21-38 months in prison.

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