

NEWS RELEASE

R. Andrew Murray
District Attorney

August 26, 2014

8 defendants convicted of domestic violence offenses

CHARLOTTE, N.C. – The Domestic Violence Team of the Mecklenburg County District Attorney's Office convicted eight defendants during the week of August 18, 2014. The team tried three defendants, and seven others pled guilty to domestic violence charges. In addition to felony cases, the team also 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. Another defendant was convicted when he remanded his case to District Court for sentencing. The proceedings were held in courtrooms 5170 and 5150 before The Honorable Eric L. Levinson and The Honorable Lisa C. Bell, Superior Court Judges.

Tristian Gilmore, 22, was tried for 1) possession of a firearm by a convicted felon, 2) assault with a deadly weapon and 3) communicating threats. Judge Levinson dismissed the communicating threats charge at the close of the State's evidence, and the jury returned a verdict of *not guilty* on the remaining charges.

Michelle Nisbeth, 22, was scheduled to be tried for 1) simple assault, 2) injury to personal property and 3) giving fortified wine, spirituous liquor or a mixed beverage to someone less than 21 years old. However, the State's prosecuting witness did not appear in court, and based on the particular facts of this case, the State was unable to proceed at trial without that witness' testimony.

Phillip Allen, 25, was tried for assault on a female. The jury found him *not guilty*.

Kevin Lyles, 28, was tried for assault on a female. The jury found him *not guilty*.

The following defendants were convicted:

Marcus Cummings, 36, pled guilty to assault by strangulation. Cummings was sentenced to 20-33 months in prison.

William Hankerson, 36, pled guilty to 1) assault by strangulation and 2) false imprisonment. Hankerson was sentenced to 9-20 months in prison.

Monday Cuthbertson, 19, pled guilty to assault by strangulation. Cuthbertson was sentenced to 6-17 months in prison; that sentence was suspended pending his successful completion of 20 months of supervised probation.

Justin Eason, 24, pled guilty to assault by strangulation. Eason was sentenced to 12-24 months in prison; that sentence was suspended pending his successful completion of 24 months of supervised probation. As a condition of his probation, Eason must serve 54 days in the Mecklenburg County jail.

Marshay Tobias, 30, pled guilty to 1) assault with a deadly weapon and 2) battery of an unborn child. Tobias was sentenced to 133 days in the Mecklenburg County jail.

Jartavous Gaither, 29, pled guilty to misdemeanor stalking. Gaither was sentenced to 150 days in the Mecklenburg County jail; that sentence was suspended pending his successful completion of 18 months of supervised probation.

Steven Howie, 31, pled guilty to 1) assault with a deadly weapon and 2) misdemeanor breaking or entering. Howie was sentenced to 150 days in the Mecklenburg County jail; that sentence was suspended pending his successful completion of 18 months of supervised probation.

Stephen Bowman, 23, was convicted of 1) assault on a female and 2) unauthorized use of a motor vehicle when he remanded his case to District Court for sentencing.

Note: For more information about the District Attorney's Office, visit www.charmeckda.com. For updates and other information, "like" the DA's Office on Facebook at www.facebook.com/charmeckda and follow us on Twitter: @CharMeckDA.

// End //