

File No. 15CR 054674

# WARRANT FOR ARREST

Offense  
I T-DRIVING WHILE IMPAIRED

THE STATE OF NORTH CAROLINA VS.

Name And Address Of Defendant  
JACKIE FRAZIER BROWN

935 EAGLES NEST RD  
WAYNESVILLE NC 28786  
HAYWOOD COUNTY

Race	W	Sex	F	Date Of Birth	03/06/1957	Age	
Social Security No./Tax ID No	[REDACTED]		Drivers License No. & State	NC			

Name Of Defendant's Employer

Offense Code(s)	1 5405	Offense In Violation Of G.S.	120-138.1
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Date Of Offense  
12/24/2015

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)  
12-30-15 JG2563R

Complainant (Name, Address Or Department)  
KEITH MOORE  
WAYNESVILLE POLICE DEPARTMENT

9 SOUTH MAIN ST  
WAYNESVILLE NC 28786

HAYWOOD COUNTY (828) 456-5363

Names & Addresses Of Witnesses (Including Counties & Telephone Nos.)  
TIMOTHY N. CARVER  
WAYNESVILLE POLICE DEPARTMENT

9 SOUTH MAIN ST  
WAYNESVILLE NC 28786  
HAYWOOD COUNTY (828) 456-5363

Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan

Date Issued: 12/30/2015

Law Enforcement Case No. WPPD201500237  
LID No.  
SID No.  
FBI No.

## STATE OF NORTH CAROLINA

HAYWOOD County In The General Court Of Justice  
District Court Division

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

I, the undersigned, find that there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully and willfully did drive a vehicle on US 276 WAYNESVILLE, NC, a highway, while subject to an impairing substance.

This act(s) was in violation of the law(s) referred to in this Warrant. This Warrant is issued upon information furnished under oath by the complainant listed. You are DIRECTED to arrest the defendant and bring the defendant before a judicial official without unnecessary delay to answer the charge(s) above.

Signature  
T T HENLINE

Magistrate  Deputy/CSC  
 Assistant CSC  Clerk Of Superior Court

Location Of Court  
Haywood County Courthouse: 0001  
285 N MAIN ST SUITE 1500  
WAYNESVILLE, NC 28786

Court Date  
02/16/2016  
Court Time  
08:30  AM  PM

ORIGINAL COPY (over) DEC 31 2015

Printed on 12/30/2015 11:50:15 AM



If this Warrant For Arrest is not served within one hundred and eighty (180) days, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon. The officer must state all steps taken by the department in attempting to execute the Warrant and any information obtained about the whereabouts of the defendant.

**RETURN OF SERVICE**

I certify that this Warrant was received and served as follows:  
 Date Received 12-30-15 Date Served 12-30-15 Time Served 12:15  AM  PM  
 By arresting the defendant and bringing the defendant before:  
 Name Of Judicial Official Michelle Tracy Henline  
 This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return Michelle Tracy Henline Name Of Officer (Type Or Print)  
 Department Or Agency Of Officer Shelby County Sheriff's Office

**REDELIVERY/REISSUANCE**

Date \_\_\_\_\_ Signature \_\_\_\_\_ Dep. CSC   
 Assst. CSC   
 CSC

**RETURN FOLLOWING REDELIVERY/REISSUANCE**

I certify that this Warrant was received and served as follows:  
 Date Received \_\_\_\_\_ Date Served \_\_\_\_\_ Time Served  AM  PM Date Returned \_\_\_\_\_  
 By arresting the defendant and bringing the defendant before:  
 Name Of Judicial Official \_\_\_\_\_

This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return \_\_\_\_\_ Name Of Officer (Type Or Print) \_\_\_\_\_  
 Department Or Agency Of Officer \_\_\_\_\_

**APPEAL ENTRIES**

The defendant, in open court, gives notice of appeal to the Superior Court.  
 The current pretrial release order is modified as follows:

Date \_\_\_\_\_ Signature Of District Court Judge \_\_\_\_\_

**WAIVER OF PROBABLE CAUSE HEARING**

The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing  
 Date Waived \_\_\_\_\_ Signature Of Defendant \_\_\_\_\_  
 Signature Of Attorney \_\_\_\_\_

District Attorney

Waived  Attorney For Defendant

**PRIOR CONVICTIONS:**

PLEA:  guilty  no contest  guilty  no contest  guilty  no contest  not guilty  
 VERDICT:  guilty  not guilty  
 JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea, on the above verdict. It is ORDERED that the defendant  pay costs and a fine of \$ \_\_\_\_\_ days in the custody of the  sheriff  MCP  DAC \* Pretrial credit \_\_\_\_\_ days served  
 be imprisoned for a term of \_\_\_\_\_ days in the custody of the  sheriff  MCP  DAC \* Pretrial credit \_\_\_\_\_ days served  
 Work release  is recommended.  is not recommended.  is ordered. (use form AOC-CR-602)  
 The Court finds that a  longer  shorter period of probation, than that which is specified in G.S. 15A-1343.2(d) is necessary.  
 Execution of the sentence is suspended and the defendant is placed on unsupervised probation\* for \_\_\_\_\_ months, subject to the following conditions: (1) commit no criminal offense in any jurisdiction. (2) possess no firearm, explosive or other deadly weapon listed in G.S. 14-269. (3) remain gainfully and suitably employed or faithfully pursue a course of study or of vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution. (4) satisfy child support and family obligations, as required by the Court. (5) pay to the Clerk the costs of court and any additional sums shown below.

Fine \$ \_\_\_\_\_ Restitution\*\* \$ \_\_\_\_\_ Attorney's Fee \$ \_\_\_\_\_ Community Service Fee \$ \_\_\_\_\_ Other \$ \_\_\_\_\_  
 \*Name(s), address(es), and amount(s) for approved party(ies) to receive restitution. (Note To Clerk: Record SSN or Tax ID No. of approved party(ies) on AOC-CR-382. Certification Of Identity (victim, Restitution/Certification Of Identity (Witness Attendance) )

- 6. complete \_\_\_\_\_ hours of community service during the first \_\_\_\_\_ days of probation, as directed by the community service coordinator, and pay the fee prescribed by G.S. 143B-708 within \_\_\_\_\_ days.
- 7. not be found in or on the premises of the complainant or \_\_\_\_\_ days.
- 8. not assault, communicate with or be in the presence of the complainant or \_\_\_\_\_
- 9. provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319)
- 10. Other: \_\_\_\_\_

It is ORDERED that this:  Judgment is continued upon payment of costs  case be consolidated for judgment with \_\_\_\_\_ sentence is to run at the expiration of the sentence in \_\_\_\_\_

COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal  
 PROBABLE CAUSE:  Probable cause is found as to all Counts except \_\_\_\_\_, and the defendant is bound over to Superior Court for action by the grand jury  No probable cause is found as to Count(s) \_\_\_\_\_ of this Warrant, and the Count(s) is dismissed.

Date \_\_\_\_\_ Name Of District Court Judge (Type Or Print) \_\_\_\_\_ Signature Of District Court Judge \_\_\_\_\_

**CERTIFICATION**

I certify that this Judgment is a true and complete copy of the original which is on file in this case.  
 Date \_\_\_\_\_ Date Delivered To Sheriff \_\_\_\_\_ Signature \_\_\_\_\_

Deputy CSC  CSC  Assst. CSC



<b>STATE OF NORTH CAROLINA</b>		File No. ISCR 054674
HAYWOOD County		In The General Court Of Justice <input checked="" type="checkbox"/> District <input type="checkbox"/> Superior Court Division
<b>STATE VERSUS</b>		<b>CONDITIONS OF RELEASE AND RELEASE ORDER</b>
Name And Address Of Defendant JACKEE FRAZIER BROWN		
935 EAGLES NEST RD WAYNESVILLE NC 28786		
Offenses And Additional File Numbers 15CR54674 WFA; T-DRIVING WHILE IMPAIRED		# 15RO1552816      G.S. Chapter 15A, Art. 25, 26 Amount Of Bond \$ 2,500.00 <b>UN5</b>

Location Of Court Haywood County Courthouse; 0001	<input checked="" type="checkbox"/> District <input type="checkbox"/> Superior	Date 02/16/2016	Time 08:30	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
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To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of wilful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

Your release is authorized upon execution of your:    WRITTEN PROMISE to appear    UNSECURED BOND in the amount shown above

CUSTODY RELEASE       SECURED BOND in the amount shown above

HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) \_\_\_\_\_ and the SECURED BOND above. You may leave your residence for the purpose(s) of    employment    counseling    course of study    vocational training

Your release is not authorized.

The defendant is required to provide (check all that apply)    fingerprints under G.S. 15A-502(a1) or (a2).    a DNA sample under G.S. 15A-266.3A.

Prior to release, the defendant shall provide his/her (check all that apply)    fingerprints.    DNA sample.

The defendant has been  (i) charged with a felony while on probation (complete AOC-CR-272, Side One).    (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated \_\_\_\_\_.

The defendant was arrested or surrendered after failing to appear as required under a prior release order.

This was the defendant's second or subsequent failure to appear in this case.

Your release is subject to the conditions as shown on the attached    AOC-CR-270    Other: \_\_\_\_\_

Additional Information

Date 12/30/2015	Signature Of Judicial Official T T HENLINE	<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge
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**ORDER OF COMMITMENT**

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to:    produce him/her in Court as provided above.

hold him/her    as provided on the attached AOC-CR-272.    for the following purpose: \_\_\_\_\_

(Check in all domestic violence and stalking cases covered by G.S. 15A-534.1(b)) produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (enter date and time 48 hours after time of arrest) \_\_\_\_\_

AM    PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility	Date	Signature Of Judicial Official T T HENLINE
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**WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE**

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date	Signature Of Defendant	Signature Of Person Agreeing To Supervise Defendant
Name Of Person Agreeing To Supervise Defendant (Type Or Print)		Address Of Person Agreeing To Supervise Defendant

**DEFENDANT RELEASED ON BAIL**

Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Signature Of Jailer
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<b>STATE OF NORTH CAROLINA</b>		File No. 15CR 054674
HAYWOOD County		In The General Court Of Justice <input checked="" type="checkbox"/> District <input type="checkbox"/> Superior Court Division
Name And Mailing Address Of Defendant JACKEE FRAZIER BROWN  935 EAGLES NEST RD  WAYNESVILLE NC 28786		<b>APPEARANCE BOND FOR PRETRIAL RELEASE</b>
Social Security No. 257-02-6898	Telephone No. Of Defendant	
Total Bond Required \$ 2,500.00	Amount Of This Bond \$ 2,500.00	
# 15AB1552909 G.S. 15A-531, 15A-534, 15A-544.2		

Offenses And Additional File Numbers  
**15CR54674 T-DRIVING WHILE IMPAIRED**

See Attachment

- Unsecured Appearance Bond** - I, the undersigned defendant, acknowledge that my personal representatives and I are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
- Cash Appearance Bond (See note on reverse side.)** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, and hereby deposit the cash identified below as security with the understanding that the deposit will be returned upon the Court's determination that the conditions of release have been performed, subject to the conditions of this Bond stated on the reverse side, and that it will be available to satisfy my obligations.
- Defendant's Property Appearance Bond** - I, the undersigned defendant, acknowledge that I am bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side, and as security for said Bond have executed a mortgage or deed of trust to real or personal property, payable to the State of North Carolina and with power of sale conditioned upon the breach of any condition of this Bond.
- Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side.
  - (Professional bondsman, Bail Agent and Runners)** - The "Affidavit" on the reverse side of this Bond is complete and true.
  - Cash Deposited By Surety (See note on reverse side.)** - We have deposited the cash identified below to secure our obligations as sureties on this bond with the understanding that the deposit will be returned to us upon the Court's determination that the conditions of pretrial release have been performed, and that it will NOT be available to satisfy defendant's obligations.

Date Of Execution Of Bond 12/30/2015	Signature Of Defendant 
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**ACCOMMODATION BONDSMAN**

See attached AOC-CR-201A for additional accommodation bondsmen executing this bond.

Name And Address Of Accommodation Bondsman		Name And Address Of Accommodation Bondsman	
Social Security No.	Telephone No.	Social Security No.	Telephone No.

**PROFESSIONAL BONDSMAN**

Name Of Bondsman	Name Of Runner, If Applicable
License No. Of Bondsman	License No. Of Runner

**INSURANCE COMPANY**

Name Of Insurance Company	Name Of Bail Agent
Power Of Appointment No. Of Bail Agent	License No. Of Bail Agent

**SIGNATURE**

Signature Of Surety	Signature Of Surety
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<b>SWORN AND SUBSCRIBED TO BEFORE ME</b>	<b>SWORN AND SUBSCRIBED TO BEFORE ME</b>
Date 12/30/2015	Signature T T HENLINE

- Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court  Magistrate  Deputy CSC  Assistant CSC  Clerk Of Superior Court
- Custodian Of Detention Facility [G.S. 15A-537(c)]  Custodian Of Detention Facility [G.S. 15A-537(c)]

**COMPLETE IF CASH DEPOSITED**

Signature Of Official Accepting Cash	Name Of Official Accepting Cash (Type Or Print)	Receipt No.
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**NOTE: If cash deposited, see note on reverse side.** ORIGINAL COPY

(see CR-238 if release after judgment in superior court) Original-File (Over)

DEC 31 2015

AOC-CR-201, Rev. 12/13 © 2013 Administrative Office of the Courts



HAYWOOD COUNTY, G.S.C.

In re: Medical Records of )  
Jackee Frazier Brown, ) **ORDER GRANTING**  
Gary Wayne Ramsey, ) **STATE'S VERIFIED PETITION**  
& Cynthia Goodson Ramsey ) **FOR MEDICAL RECORDS**

UPON PETITION by the State of North Carolina, and these matters having been heard, the Court hereby makes the following:

**FINDINGS OF FACTS**

1. That, on December 24, 2015, Jackee Frazier Brown was operating her motor vehicle at the intersection of U.S. Highway 23/74 and Russ Avenue in the Town of Waynesville, North Carolina. She collided with another vehicle being operated by Gary Wayne Ramsey and which vehicle was also occupied by Cynthia Goodson Ramsey. Thereafter, investigators with the Waynesville Police Department commenced an investigation into this crash.

2. That, as a result of this collision, Jackee Frazier Brown, Gary Wayne Ramsey, and Cynthia Goodson Ramsey were injured. Jackee Frazier Brown and Gary Wayne Ramsey were transported to Mission Hospital in Asheville, North Carolina. Cynthia Goodson Ramsey was transported to Haywood Regional Medical Center in Clyde, North Carolina.

3. That, upon information and belief, Jackee Frazier Brown and Gary Wayne Ramsey suffered serious injuries. Cynthia Goodson Ramsey suffered minor injuries and was released after treatment. Evidence about the nature and extent of the injuries suffered by all participants should be in the medical records, including imaging, of each hospital, respectively.

4. That, upon information and belief, Mission Hospital conducted a testing of the blood alcohol concentration of Jackee Frazier Brown, and the result was approximately 0.17 grams of alcohol per deciliter. This information should be available in the hospital records of Jackee Frazier Brown. Further, there may be evidence of other controlled substances in her system.

5. That there are reasonable grounds to believe that Jackee Frazier Brown has violated North Carolina law by committing the offense of Driving While Impaired in violation of N.C. Gen. Stat. § 20-138.1. Further, there are reasonable grounds to believe that Jackee Frazier Brown may have further violated North Carolina law by committing the crime of Serious Injury by Vehicle if the injuries suffered by Gary Wayne Ramsey are, in fact, serious in nature. See, N.C. Gen. Stat. § 20-141.4.

6. That it would be necessary for the proper administration of justice to order Mission Hospital to turn over a copy of the various medical records of Jackee Frazier Brown and Gary Wayne Ramsey to the investigating officers, Sergeant Keith Moore and Officer Tim Carver with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53. Further, the federal Health Insurance Portability and Accountability Act does not prohibit the production of the information sought herein. See, 42 U.S.C. § 1320d *et seq.* and 45 C.F.R. § 164.512(f).

7. That that it would also be necessary for the proper administration of justice to order Haywood Regional Medical Center to turn over a copy of the various medical records of Cynthia Goodson Ramsey to the investigating officers, Sergeant Keith Moore and Officer Tim Carver with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53. Further, the federal Health Insurance Portability and Accountability Act does not prohibit the production of the information sought herein. See, 42 U.S.C. § 1320d *et seq.* and 45 C.F.R. § 164.512(f).

8. That Jackee Frazier Brown is a white female with a date of birth of March 6, 1957. Gary Wayne Ramsey is a white male with a date of birth of June 30, 1972, and Cynthia Goodson Ramsey is a white female with a date of birth of August 27, 1971.

BASED UPON the foregoing Findings of Facts, the Court hereby makes the following:

#### **CONCLUSIONS OF LAW**

1. That the Court has subject matter jurisdiction over this matter and personal jurisdiction over both Mission Hospital in Asheville, North Carolina and Haywood Regional Medical Center in Clyde, North Carolina.

2. That it is necessary for the proper administration of justice that Mission Hospital deliver a copy of the medical records of Jackee Frazier Brown



and Gary Wayne Ramsey to investigators with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53.

3. That it is necessary for the proper administration of justice that Haywood Regional Medical Center deliver a copy of the medical records of Cynthia Goodson Ramsey to investigators with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53.

4. That the production of such medical records is not prohibited by the federal Health Insurance Portability and Accountability Act, 42 U.S.C. 1320d *et seq.*, because the production meets the law enforcement exception as provided by 45 C.F.R. § 164.512(f).

### ORDER

BASED UPON the foregoing Findings of Facts and Conclusions of Law, the Court HEREBY ORDERS, ADJUDGES, and DECREES as follows:

1. That **Mission Hospital** shall forthwith produce a copy of the medical records of **Jackee Frazier Brown**, a white female with the date of birth of March 6, 1957, including any imaging such as x-rays, CT scans, and/or MRIs, with respect to the date of service commencing on or about December 24, 2015, to Sergeant Keith Moore and/or Officer Tim Carver with the Waynesville Police Department; and

2. That **Mission Hospital** shall forthwith produce a copy of the medical records of **Gary Wayne Ramsey**, a white male with the date of birth of June 30, 1972, including any imaging such as x-rays, CT scans, and/or MRIs, with respect to the date of service commencing on or about December 24, 2015, to Sergeant Keith Moore and/or Officer Tim Carver with the Waynesville Police Department; and

3. That **Haywood Regional Medical Center** shall forthwith produce a copy of the medical records of **Cynthia Goodson Ramsey**, a white female with the date of birth of August 27, 1971, including any imaging such as x-rays, CT scans, and/or MRIs, with respect to the date of service commencing on or about December 24, 2015, to Sergeant Keith Moore and/or Officer Tim Carver with the Waynesville Police Department; and

4. That if any of the aforementioned persons are still hospitalized at the date and time of his Order, then this Order shall be continuing in nature and each hospital shall provide additional records upon request by the investigating officers.

SO ORDERED this the 28<sup>th</sup> day of December, 2015.



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BRADLEY B. LETTS  
Senior Resident Superior Court Judge  
Judicial District 30B



FILED

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

2015 DEC 28 PM 12:00

SUPERIOR COURT DIVISION

COUNTY OF HAYWOOD

HAYWOOD COUNTY, C.S.C.

In re: Medical Records of  
Jackee Frazier Brown,  
Gary Wayne Ramsey,  
& Cynthia Goodson Ramsey

**VERIFIED PETITION  
FOR MEDICAL RECORDS**

NOW COMES the State of North Carolina, by and through the undersigned assistant district attorney, and hereby petitions the Court to order the production of certain medical records and, in support thereof, states as follows:

1. That, on December 24, 2015, Jackee Frazier Brown was operating her motor vehicle at the intersection of U.S. Highway 23/74 and Russ Avenue in the Town of Waynesville, North Carolina. She collided with another vehicle being operated by Gary Wayne Ramsey and which vehicle was also occupied by Cynthia Goodson Ramsey. Thereafter, investigators with the Waynesville Police Department commenced an investigation into this crash.

2. That, as a result of this collision, Jackee Frazier Brown, Gary Wayne Ramsey, and Cynthia Goodson Ramsey were injured. Jackee Frazier Brown and Gary Wayne Ramsey were transported to Mission Hospital in Asheville, North Carolina. Cynthia Goodson Ramsey was transported to Haywood Regional Medical Center in Clyde, North Carolina.

3. That, upon information and belief, Jackee Frazier Brown and Gary Wayne Ramsey suffered serious injuries. Cynthia Goodson Ramsey suffered minor injuries and was released after treatment. Evidence about the nature and extent of the injuries suffered by all participants should be in the medical records, including imaging, of each hospital, respectively.

4. That, upon information and belief, Mission Hospital conducted a testing of the blood alcohol concentration of Jackee Frazier Brown, and the result was approximately 0.17 grams of alcohol per deciliter. This information should be available in the hospital records of Jackee Frazier Brown. Further, there may be evidence of other controlled substances in her system.



5. That there are reasonable grounds to believe that Jackee Frazier Brown has violated North Carolina law by committing the offense of Driving While Impaired in violation of N.C. Gen. Stat. § 20-138.1. Further, there are reasonable grounds to believe that Jackee Frazier Brown may have further violated North Carolina law by committing the crime of Serious Injury by Vehicle if the injuries suffered by Gary Wayne Ramsey are, in fact, serious in nature. See, N.C. Gen. Stat. § 20-141.4.

6. That the State alleges that it would be necessary for the proper administration of justice to order Mission Hospital to turn over a copy of the various medical records of Jackee Frazier Brown and Gary Wayne Ramsey to the investigating officers, Sergeant Keith Moore and Officer Tim Carver with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53. Further, the federal Health Insurance Portability and Accountability Act does not prohibit the production of the information sought herein. See, 42 U.S.C. § 1320d *et seq.* and 45 C.F.R. § 164.512(f).


7. That the State further alleges that it would be necessary for the proper administration of justice to order Haywood Regional Medical Center to turn over a copy of the various medical records of Cynthia Goodson Ramsey to the investigating officers, Sergeant Keith Moore and Officer Tim Carver with the Waynesville Police Department, pursuant to N.C. Gen. Stat. § 8-53. Further, the federal Health Insurance Portability and Accountability Act does not prohibit the production of the information sought herein. See, 42 U.S.C. § 1320d *et seq.* and 45 C.F.R. § 164.512(f).

8. That Jackee Frazier Brown is a white female with a date of birth of March 6, 1957. Gary Wayne Ramsey is a white male with a date of birth of June 30, 1972, and Cynthia Goodson Ramsey is a white female with a date of birth of August 27, 1971.

WHEREFORE, the State respectfully requests that the Court enter an order for the production of the medical records of Jackee Frazier Brown, Gary Wayne Ramsey, and Cynthia Goodson Ramsey, including any imaging such as x-rays, CT scans, and MRIs, to each hospital as described herein.



DATED this the 28<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
JEFF D. JONES  
Assistant District Attorney  
285 North Main Street, Suite 3200  
Waynesville, North Carolina 28786  
Tel: (828) 454-6510  
Fax: (828) 454-6410

**VERIFICATION**

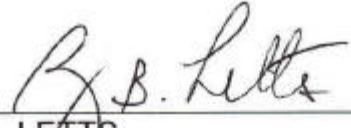
STATE OF NORTH CAROLINA

COUNTY OF HAYWOOD

I, Sgt. Keith Moore, being duly sworn, do hereby state that I have read the foregoing **Verified Petition for Medical Records** and that the allegations contained therein are true and correct to the extent that I have personal knowledge of the same and are true and correct upon information and belief to the extent that I do not have such personal knowledge.

  
\_\_\_\_\_  
SGT. KEITH MOORE  
Waynesville Police Department

SWORN and SUBSCRIBED before me this the 28<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
BRADLEY B. LETTS  
Senior Resident Superior Court Judge  
Judicial District 30B



NOTE TO OFFICER: The officer should review and follow the instructions on Side Two of this form.

ATTACH TEST RECORD TICKET HERE

STATE OF NORTH CAROLINA

Haywood County

NOTE: A "commercial motor vehicle" is as defined in G.S. 20-4.01(3d).

File No.

In The General Court Of Justice
District Court Division

IN THE MATTER OF:

AFFIDAVIT AND REVOCATION REPORT OF

Name: Jaquee Frazier Brown

- LAW ENFORCEMENT OFFICER
CHEMICAL ANALYST

Address: 935 Eagles Nest Rd.

The charged offense is impaired supervision or instruction under G.S. 20-12.1. Accordingly, substitute "supervisor/instructor" wherever "driver" appears below.

City: Waynesville State: NC Zip: 27786

G.S. 20-16.2, 20-16.5, 20-17.8, 20-19(c3), 20-139.1

Race: W Sex: F Date Of Birth: 03-06-1957 Drivers License No. State: NC Vehicle Type: SM CMV: N Haz Mat: A Citation No.

The undersigned being first duly sworn says:

1. I am a law enforcement officer. On the 24 day of December, 2015, at 9:28 (a.m.), a law enforcement officer had reasonable grounds to believe the above named person, hereinafter referred to as driver, operated a vehicle in the above named county upon US 276 and Ross Ave while committing an implied-consent offense in that she was involved in a wreck resulting in bodily injury, driver had an odor of alcohol about her person.

(List Sufficient Facts To Establish Probable Cause)

- 2. The driver has a drivers license restriction: alcohol concentration, ignition interlock, conditional restoration (Restr: '9)
3. The driver violated a drivers license restriction by: refusing to be transported for testing, not having an operable ignition interlock on the vehicle being driven, failing to personally activate the ignition interlock on the vehicle being driven, exceeding the driver's alcohol concentration limitation, refusing a chemical analysis (if refusal, also complete item no. 14 below).
4. The driver was charged with the implied-consent offense of: G.S. 20-138.1; Other Implied-Consent Offense: and the driver has one or more pending offenses in the following county(ies)
5. After the driver was charged, I took the driver before, a chemical analyst authorized to administer a test of the driver's breath.
6. I am a chemical analyst and possess a current permit issued by the Department of Health and Human Services authorizing me to conduct chemical analyses of the breath utilizing the Intox EC/IR II.
7. I informed the driver orally and also gave notice in writing of the rights specified in G.S. 20-16.2(a). I completed informing the driver of the rights as indicated on the attached DHHS 4081.
8. I began observing the driver for the purpose of complying with the observation period requirements for a breath analysis in accordance with the methods/rules approved by the Department of Health and Human Services at (a.m.) on the day of
9. On the day of, at (a.m.), I requested the driver to submit to a chemical analysis of his/her breath or blood or urine. For blood or urine, I directed the taking of a blood or urine sample by a person qualified under G.S. 20-139.1.
10. The driver was unconscious or otherwise incapable of refusal and therefore the notification of rights and request to submit to a chemical analysis were not made. I directed the taking of a blood sample by a person qualified under G.S. 20-139.1.
11. The driver submitted to a chemical analysis of his/her breath. I administered the chemical analysis to the driver in accordance with the methods/rules approved by the Department of Health and Human Services using an Intox EC/IR II, and it printed the results of the driver's chemical analysis on the attached test record, DHHS 4082, which is made part of this Affidavit. The most recent preventive maintenance was performed on this Intox EC/IR II on the day of, as shown on the preventive maintenance record. I provided the driver with a copy of the attached test record before any trial or proceeding in which the results of the chemical analysis may be used.
12. The chemical analysis of the driver's breath indicated an alcohol concentration of 0.15 or more.
13. A sample of the driver's blood or urine was collected for a chemical analysis as indicated on the attached DHHS 4081.
14. The driver willfully refused to submit to a chemical analysis as indicated on the attached DHHS 4082. DHHS 4081.
The willful refusal occurred in an implied-consent offense involving death or critical injury to another person.

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Signature Of Chemical Analyst/Law Enforcement Officer: [Signature] DHHS Permit No. 16829E

Date: 12/31/15 Signature Of Official Authorized To Administer Oaths: [Signature]

Print Name Of Chemical Analyst/Law Enforcement Officer: Sgt. Keith Moore

Magistrate Deputy CSC Assistant CSC CSC Notary My Commission Expires County Where Notarized

Agency Name: Waynesville Police Dept.

SEAL

Law Enforcement Officer/Analyst Copy

Patient Name BROWN, JACKEE

MRN 00-00-81-26-26; PWX-0015188780;  
AEPM-0000215504

*Depart Discharge Summary*

**CHEMISTRY RESULTS**

ALT: 12/25/2015 - 24 intl unit/L  
AST: 12/25/2015 - 42 intl unit/L **HI**  
Albumin, Serum: 12/25/2015 - 2.80 g/dL **LOW**  
Alkaline Phosphatase: 12/25/2015 - 96 intl unit/L  
BUN: 12/25/2015 - 9 mg/dL  
Bilirubin, Total: 12/25/2015 - 1.9 mg/dL **HI**  
CO<sub>2</sub>, Total: 12/25/2015 - 20 mmol/L **LOW**  
Calcium: 12/25/2015 - 7.9 mg/dL **LOW**  
Chloride: 12/25/2015 - 109 mmol/L **HI**  
Creatinine: 12/25/2015 - 0.60 mg/dL  
Glucose, Serum: 12/25/2015 - 115 mg/dL **HI**  
Potassium: 12/25/2015 - 3.6 mmol/L  
Protein, Total: 12/25/2015 - 5.5 g/dL **LOW**  
Sodium: 12/25/2015 - 139 mmol/L  
est GFR (if African-American): 12/25/2015 - Greater than 60 mL/min  
est GFR (if not African-American): 12/25/2015 - Greater than 60 mL/min

$\div$  1.18

**COAGULATION RESULTS**

PT: 12/24/2015 - 17.1 sec **HI**

**HEMATOLOGY RESULTS**

Hematocrit: 12/25/2015 - 27.0 % **LOW**  
Hemoglobin: 12/25/2015 - 9.0 g/dL **LOW**  
Platelet Count: 12/25/2015 - 145 x10<sup>3</sup>/mcl  
WBC Count: 12/25/2015 - 6.8 x10<sup>3</sup>/mcl

= .14

**TDM/TOXICOLOGY RESULTS**

Amphetamine, Urine: 12/24/2015 - Negative **NA**  
Barbiturate, Urine: 12/24/2015 - Negative **NA**  
Benzodiazepine, Urine: 12/24/2015 - Negative **NA**  
Cannabinoid, Urine: 12/24/2015 - Negative **NA**  
Cocaine, Urine: 12/24/2015 - Negative **NA**  
Ethanol Level mg/dL: 12/24/2015 - 174 mg/dL **HI**  
Opiate, Urine: 12/24/2015 - Negative **NA**

Powerchart Clinical Summary\_ 04.27.15



# SBI FINAL DISPOSITION REPORT

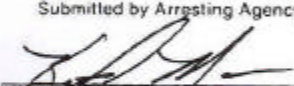
00-020-00  
12-2-88

WHEN COMPLETED SUBMIT TO: NORTH CAROLINA STATE BUREAU OF INVESTIGATION  
DIVISION OF CRIMINAL INFORMATION  
407 NORTH BLOUNT STREET  
RALEIGH, N. C. 27601-1009  
ATTN: IDENTIFICATION SECTION

JG2563R

180000008586

CKN Number: \_\_\_\_\_

TO BE COMPLETED BY ARRESTING AGENCY	
SID NO	FBI NO.
NAME ON FINGERPRINT CARD SUBMITTED TO SBI BROWN, JACKEE FRAZIER	
LAST	FIRST MIDDLE
RACE W	DATE OF BIRTH 03/06/1957
SEX F	SOCIAL SECURITY NO.
ARREST NO. (OCA) WPD1502852	DATE OF ARREST 12/30/2015
OFFENSES CHARGED AT ARREST DRIVING WHILE IMPAIRED	
CONTRIBUTOR OF FINGERPRINTS [include Address & ORI No.] NC0440200 WAYNESVILLE P.D. WAYNESVILLE, NC 28786	
<input type="checkbox"/> COURT ORDERED EXPUNGEMENT [Copy of Certified Court Order Must Be Attached and Submitted by Arresting Agency]	
SIGNATURE 	
TITLE Sh	DATE 12-30-15

TO BE COMPLETED BY CLERK'S OFFICE	
COURT LEVEL	<input type="checkbox"/> DISTRICT <input type="checkbox"/> SUPERIOR
COURT DOCKET NUMBER	COURT DISPOSITION DATE
<input type="checkbox"/> DISMISSED <input type="checkbox"/> DISMISSED WITH LEAVE	
CHARGE CONVICTED OF:	
<input type="checkbox"/> CONSOLIDATED FOR JUDGMENT WITH CASE NO. - [Note: If this block is checked, a copy of the final disposition reflecting the original judgment must be attached.]	
PLEA <input type="checkbox"/>	VERDICT <input type="checkbox"/>
MISDEMEANOR <input type="checkbox"/>	FELONY <input type="checkbox"/>
SPLIT SENTENCE	<input type="checkbox"/> Yes <input type="checkbox"/> No
JUDGMENT:	
	Days Months Years
Active Sentence -	_____
Probation -	_____
Suspended -	_____
FINE _____	COST: _____
RESTITUTION _____	ATTORNEY FEE: _____
<input type="checkbox"/> CASE APPEALED FROM DISTRICT COURT <input type="checkbox"/> CASE APPEALED TO APPELLATE DIVISION [Submit copy of this form and retain original until final judgment after Appellate decision]	
ADDITIONAL INFORMATION	
DATE	COUNTY
SIGNATURE	
<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk of Superior Court	
If additional space is needed, check <input type="checkbox"/> and continue on reverse side of form.	

HAYWOOD COUNTY CLERK OF COURT

L115218 12/31/15 13:58:31

PAYOR: MILLER, MONROE

PAYEE: SAME

CASE#: 15CR 054674 VCAP:N

CITAN:

21410 COPY FEES 5.00

TOTAL PAID 5.00

CA TENDERED 5.00

CHANGE .00

4558 ID C43CFH

**DEC 31 2015**