

File No. 16CR 053432	Law Enforcement Case No.	LID No.	SID No.	FBI No.
MISDEMEANOR CRIMINAL SUMMONS Offense I.M-COMMUNICATING THREATS	STATE OF NORTH CAROLINA In The General Court Of Justice District Court Division			
HAYWOOD County				

THE STATE OF NORTH CAROLINA VS.
 Name And Address Of Defendant
CHARLES DOUGLAS WRIGHT
 136 MATTHEW LANE
 CANTON NC 28716
 HAYWOOD COUNTY (828) 492-0176

Race **W** Sex **M** Date Of Birth _____ Age **65**
 Social Security No. _____ Drivers License No. & State _____

Name Of Defendant's Employer _____
 Offense Code(s) **I 14-277.1**
 Date Of Offense **09/22/2016**
 Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card) _____

Complainant (Name, Address Or Department)
MONROE MILLER
19 BIG SPRUCE LANE
WAYNESVILLE NC 28786
HAYWOOD COUNTY (828) 456-3718
 Names & Addresses Of Witnesses (Including Counties & Telephone Nos.) _____

To the defendant:
 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 you unlawfully and willfully did threaten to physically injure the person of **MONROE A. MILLER, JR.**. The threat was communicated to **MONROE A. MILLER, JR.** by STATING "BACK OFF OR ELSE THERE WILL BE BLOOD RUNNING OUT BOTH YOUR EARS" and the threat was made in a manner and under circumstances which would cause a reasonable person to believe that the threat was likely to be carried out and the person threatened believed that the threat would be carried out.

This act was in violation of the law referred to in this Criminal Summons. This Summons is issued upon information furnished under oath by the complainant listed. You are ORDERED to appear before the Court at the location, date and time indicated below to answer to the charge. If you fail to appear, an order for your arrest may be issued and you may be held in CONTEMPT OF COURT. Arrest and/or contempt for failure to appear is in addition to any sentence which may be imposed for the crime charged.

The undersigned finds the following cause to set a court date more than one month from the issue of this SUMMONS: NEXT AVAILABLE ONO COURT DATE

Signature G NORWOOD	Location Of Court Haywood County Courthouse; 0001 285 N MAIN ST SUITE 1500 WAYNESVILLE, NC 28786	Court Date PCC 10/27/2016
<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Assistant CSC	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Clerk Of Superior Court	Court Time 11/15/2016 08:30 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM

If this Criminal Summons is not served within ninety (90) days or by the date the defendant is directed to appear, whichever is earlier, 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.

RETURN OF SERVICE

I certify that this Criminal Summons was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
01/25/2016	10/31/2016	2:00 PM	10/31/2016

By personally serving this Criminal Summons on the defendant

This Criminal Summons WAS NOT served for the following reason:

Signature Of Officer Making Return: *[Signature]* Name Of Officer (Type Or Print): David G. Cates

Department Or Agency Of Officer: *[Signature]* REDELIVERY/REISSUANCE

Date: Dep CSC Assst CSC CSC

The above clerk finds the following cause to set a court date more than one month from release:

RETURN FOLLOWING REDELIVERY/REISSUANCE

I certify that this Criminal Summons was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
		<input type="checkbox"/> AM <input type="checkbox"/> PM	

By personally serving this Criminal Summons on the defendant

This Criminal Summons 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: _____

District Attorney: Waived Not Waived Denied

Attorney For Defendant: Appointed Retained

PRIOR CONVICTIONS: No. / Sent. 0 / 1 (0) 1 (1-4) 2 (5-9)

PLEA: guilty no contest no contest no contest

VERDICT: guilty guilty guilty not guilty not 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. is not recommended. is ordered. (use form AOC-CR-602)

Work release is recommended. is not recommended.

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. 14-289.3, 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.

Fee: \$ _____ Restitution** \$ _____ Attorney's Fee \$ _____ Community Service Fee \$ _____ Other \$ _____

**Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution: NOTE TO CLERK: Record SSN or Tax ID. No. of aggrieved party(ies) on AOC-CR-382. Certification Of Identity (Victims Restitution)/Certification Of Identity (Witness Attendance).

- 6. complete _____ hours of community service during the first _____ days of probation, as directed by the judicial services 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 _____ days.
- 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 **MG** 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.

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: _____

Dep CSC Assst CSC CSC