North Carolina Department of Public Safety, Division of Adult Correction, Community Corrections

DEC

6 2018

STATE	OF	NORTH	CAROLINA

Haywood County

17CR 052975 File Number

In the General Court of Justice

☒ District

☐ Superior Court Division

AUTHORITY TO ARREST STATE VERSUS G.S. 15A-1345 Name of Defendant BENSON, ANGELL KIRKPATRICK

TO ANY OFFICER AUTHORIZED BY LAW TO MAKE ARRESTS: GREETINGS:

Under authority of General Statutes of North Carolina (G.S. 15A-1345), you are hereby requested to arrest and BENSON, ANGELL KIRKPATRICK , if to be found in your County, that safely keep BENSON, ANGELL KIRKPATRICK may be returned to the court, there to answer a charge of violation of probation in willful disregard of a court order.

You are DIRECTED to take the defendant into custody and bring the defendant before a judicial official for the purpose of determining conditions of release, and for commitment if the defendant is unable to comply.

The undersigned Probation/Parole Officer states that he/she has probable cause to believe that the abovenamed probationer has willfully and without lawful excuse violated the terms and conditions of his/her probation conditions as set forth on the attached Violation Report.

Issued this 23rd day of October 2018

Mark Romero PPO II

PROBATION/PAROLE OFFICER

285 N. Main st Waynesville, NC 28786

WAYNESVILLE, NC 28786

ADDRESS

TELEPHONE NUMBER

AUTHORITY TO ARREST

	2	Data of Diath
Race	Sex	Date of Birth
8	П	05/05/1971
Telephone No.	No.	Drivers License No.
(828)400-4841	0-4841	
Offense		
DWI Lev	vel 1 (Pro	DWI Level 1 (Probation Violation)

	365 LOVE LN
	Defendant
웃	BENSON, ANGELL KIRKPATRICK

17CR 052975

STATE VERSUS

STATE OF I	NORTH CA	AROLINA		File No		CR 52975		
НАҮ	WOOD	County			ne General ict			
	STATE VE	RSUS						
Name And Address Of Dei ANGELL KIRKPA		N			NDITIONS ND RELE			
				#			G	G.S. Chapter 15A, Art. 25, 26
				Amount C	of Bond		5,000.00	20. Chapter 10.1,7 iii. 20, 20
Offenses And Additional F 17 CR 52975 AT		L.1 (PROBATION	VIOLATION)				
Trok 32773 ATT	A. DWI. LLVE	ET (TROBITTION	VIOLITION	,				See Attachment
Location Of Court						7-	Date	Time
Haywood County C			n annear hefore	the Cou	X District	Superior	10/31/2018	8:30 X AM PM
CUSTODY R HOUSE ARR BOND above REPORT TO Your release is no The defendant is prior to release, the prior to release, the prior to release, the prior to release is enterprior to release is sufficient to the prior to release is not	uthorized upon exe ELEASE SEELEASE SEEL	cution of your: WECURED BOND in the CONIC MONITORING a cour residence for the DEFICER WITHIN 72 provide his/her (check all that apply) provide his/her (check arged with a felony wer conviction requiring nt's warrantless arrest endered after failing to subsequent failure to cions as shown on the L PROBATION VICE	#RITTEN PROM a amount shown administered by purpose(s) of 2 HOURS OF E all that apply) while on probation registration undurated to appear as required appear in this contact attached	under G. I finger G.S. 1 condition uired und asse. RING	pear UNS IOTE: Give a c yment Co ELEASED. S. 15A-502. prints. De AOC-CR-272, 4, Article 27A s of release en er a prior relea	a DNA NA sample. Side One). (complete AC ntered previ	cond in the amoder to any surety course of stress ample under ((ii) arreste or course of the about the	ount shown above who posts bond.) and the SECURED udy vocational training G.S. 15A-266.3A. Indeed for violation of probation Two). Dove-captioned case in the
Date 10/23/2018	Signature Of Ju	idicial Official L KOSIR		X	Magistrate Clerk Of Super	Deputy CS	C Assistan	
			ORDER OF C	OMMI		lor count		adge Superior Count sauge
To The Custodian O released if authorized hold him/her	above. If the defen	Facility Named Below dant is not sooner releate attached AOC-CR-	eased, you are O	RDERED	receive in you to: produ	r custody th	e defendant na n Court as prov	amed above who may be ided above.
county after the e	ntry of this Order of produce him/her	or, if no session is hel- before a magistrate o	d before (enter d	ate and tin hat time t	ne 48 hours after o determine c	time of arres	t)	uperior Court held in this
Name Of Detention Facilit Haywood County D	•	Date 10	/23/2018	Signatur	e Of Judicial Offi		L KOSIR	
I the undersianed a		WRITTEN PROM						and out shows
I, the undersigned, por I understand and agree judgment in Superior his/her signature to s	ee that this promis Court. If I am rele upervise me.	se is effective until the ased to the custody o	entry of judgme	ent in the	District Court	from which	no appeal is tal	ons set out above. ken or until the entry of nd that person agrees by
Date	Signature Of Defend	dant		Signatur	e Of Person Agr	eeing To Sup	ervise Defendant	
Name Of Person Agreeins	g to Supervise Defen				Of Person Agre		rvise Defendant	
Date	T ₇	DEFI	ENDANT RE		D ON BAIL re Of Jailer	-		
	0-		AM PM	Signatu	e Oi Jailei			0 ~

AOC-CR-200, Rev. 12/16, © 2016 Admin. ...ative Office of the Courts

DRIGINAL

STATE OF NORTH O	CAROLINA	File No. 17 CR 5297	75
HAYWOOD	County	In The General Court C ☑ District ☐ Superior C	
Name And Mailing Address Of Defendant ANGELL KIRKPATRICK BENSON		APPEARANCE FOR	
Telephone No. Of Defendant		PRETRIAL REL	EASE L
Total Bond Required	Amount Of This Bond		0.0 454 504 454 504 454 544
\$ 5,000.00 Offenses And Additional File Numbers	\$ 5,000.00	#	G.S. 15A-531, 15A-534, 15A-544
17CR 52975 ATA; PROBATION	N VIOLATION		
			See Attachme
Cash Appearance Bond By Defer North Carolina the sum shown abor upon the Court's determination that that it will be available to satisfy my Defendant's Property Appearance shown above, subject to the conditat to real or personal property, payabl Surety Appearance Bond - We, th of North Carolina the sum shown at agent, or runner attests that the AFI cash to secure the obligation as sur	ve, and hereby deposit the cash identificated the conditions of release have been per obligations. Le Bond - I, the undersigned defendant, it is is some of this Bond stated on the reverse set to the State of North Carolina and with the undersigned, jointly and severally acknowe, subject to the conditions of this Bork proverse side is completed.	the undersigned defendant, ackred below as security with the unerformed, subject to the condition acknowledge that I am bound to side, and as security for said Both power of sale conditioned uponowledge that we and our persound stated on the reverse side. As and true. If a cash deposit is including that the deposit will be returned.	nowledge that I am bound to pay the State of derstanding that the deposit will be returned as of this Bond stated on the reverse side, and to pay the State of North Carolina the sum and have executed a mortgage or deed of trus in the breach of any condition of this Bond and representatives are bound to pay the Statiny undersigned professional bondsman, bail dicated below, surety(ies) has deposited the med to the surety(ies) upon termination of that bond, see note on reverse side.)
Date Of Execution Of Bond		Signature Of Defendant	B
		ION BONDSMAN	
See attached AOC-CR-201A for ac	dditional accommodation bondsmen exe	ecuting this bond. Name And Address Of Accommoda	ation Rondsman
J. WEAVER KIRKPATRICK 448 LITTLE MOUNTAIN ROAD WAYNESVILLE Telephone No.	NC 28786	BRENDA MOCK KIRKPAT 448 LITTLE MOUNTAIN ROWAYNESVILLE Telephone No.	TRICK
	PROFESSION	AL BONDSMAN	
Name Of Bondsman		Name Of Runner, If Applicable	
License No. Of Bondsman	Telephone No.	License No. Of Runner	Telephone No.
THE RESERVE STREET	INSURANC	E COMPANY	
Name Of Insurance Company		Name Of Bail Agent	
Power Of Appointment No. Of Bail Agent		License No. Of Bail Agent	Telephone No.
	SIGN	ATURE	
Signature of Surety SWORN/AFFIRMED AND SU	Notrolly Described to before Me	SWORN/AFFIRMED A	natural ND SUBSCRIBED TO BEFORE M
Date Signatu	re	Date	Signature
	Assistant CSC Clerk Of Superior Court	10/23/18 T Magistrate Deputy CSC	G NORWOOD
Custodian Of Detention Facility [G.S. 18		Magistrate Deputy CSC Custodian Of Detention Facility	
The State of the S	COMPLETE IF C	ASH DEPOSITED	
Signature Of Official Accepting Cash	Name Of Office	cial Accepting Cash (type or print)	Receipt No.
NOTE: If cash deposited, see note on rev	verse side.		

STATE OF NORTH CAROLINA COUNTY OF HAYWOOD

IN THE GENERAL COURT OF JUSTICE DISTRICT/SUPERIOR COURT DIVISION

TO: C. Hunter Plemmons, C	LERK OF SUPERIOR COURT
Warnesville, NORTH CA	ROLINA - Hannoc COUNTY
ror the purpose of showing you that I am able t	to justify as sympty was the same
reduited to be given by A Maril 15 (1) [2]	TUE IN In defendant and to induce you to
accept me as surety, I represent to you that I ow	vn the property listed below, in my own name and
right, and that the same is not held by myself an	nd wife as an estate by the entireties. I understand
that before I am able to justify on any bond that	it I must be worth in real property the amount of the
bond on which I justify over and above and abo	ove all debts owned by me and in addition thereto the
sum of one-thousand (\$1,000) dollars in real es	state which is allowed by law as my homestead
exemption. Upon my oath, I show that I own th	ne following real estate, of the value indicated hereon.
located in the counties and townships shown bel	low:
LISTED OWNER	AND TAX DESCRIPTION
	TAX BOOK VALUE
1. Name I Weaver & Brenda Kirk	patrick \$ 275,000 00
2. Address 448 Little Manuatain	RCI Whone ville
2. Address 448 Little Mountain 3. Pin # 8605 -25 -0777	NC 28784
TOTAL TAX BOO	-3
against the above described was a to	ist of all debts owed by me, which are a lien
against the above described property, in	actuaing property taxes owed; also all
unsecured debts owed by me.	The state of the s
1.	\$
2	S
3. North Carolina Homestead Exemption	on \$\$1000.00
TOTAL LIABILITIES ANI	DEXEMPTIONS \$ 1000.00
	,
TOTAL ASSETS AS LISTED ABOVE	\$ 275,0000
LESS TOTAL LIABILITES LISTED A	ABOVE \$ \$1,06000
11 11-11	TOTAL ASSETS \$ 274,000
NAME XII le rue Killingthirt AD	DDRESS 448 Little Kountain Kal
Signature of Property Owner	Waynesville NC 28786
NAME Branditurh Mutukan	
Signature of Property Owner	waynesville NC 28786
This property is NOT SECURED by	VOG TITLE DATE.
() This property is NOT SECURED by	y Deed of Trust/Note/Notigage.
() This property IS SECURED by a D	reed of frust/Note/Mortgage.
() This property is NOT being used as	s security for any other pending charges.
CYYLO TO LA CARROLL COMPANY	2 200
SWORN TO AND SUBSCRIBED before	re me, this the 23 day of
October, 2018:	
	CLERK/ASSISTANT/DEPUTY CLERK
OR WITNESSED BY:	All 971 Deer
	MAGISTRATE
This is to certify that in my opinion this is a good	L'ALLONO LAURE A
And collectable bond and would be accepted in the	
Superior Court of Haywood County, North Carolina.	

HAYWOOD COUNTY TAX COLLECTIONS 215 N MAIN STREET # 224 WAYNESVILLE NC 28786-3899

ADDRESS SERVICE REQUESTED



PAYMENT PLANS: Please call 828-452-6643, If you need to make payments or other arrangements, please do so immediately. Once

HAYWOOD COUNTY PROPERTY TAX NOTICE

taxes are delinquent, the plan is more costly per month.

*See back of tax bill for more information.

ESCROW/MORTGAGE ACCOUNTS: Tax notices are forwarded to the mortgage companies. The property owner is responsible for ensuring full payment of this obligation. If funds are held in escrow to pay this notice, forward to the appropriate mortgage holder.

PERSONAL PROPERTY: If this is the first notice of value, a taxpayer may appeal the value, situs or taxability of the personal property in writing within 30 days from the 1st day of September.

FAILURE TO PAY: Delinquent taxes are subject to garnishment of wages, attachment of monies on deposit or rents received, levy on personal property and foreclosure proceedings.

INTEREST accrues at the rate of 2% for January & 3/4 of 1% each following month.

N.C.
- CA CA SE
A STANS
1000 CM
1800

************AUTO**5-DIGIT 28738 6662829 2811-PTN 20959 1 1 1



KIRKPATRICK, J WEAVER KIRKPATRICK, BRENDA MOCK 448 LITTLE MOUNTAIN RD WAYNESVILLE NC 28786-4131



<u> հիմիժիիցունքնրուկցնիր ուսելիինուններկին</u>

ACCOUNT NUMBER	BILL NUMBER	DUE DATE	BILL YEAR	DELINQUENT AFTER
223031	18A26245	09/01/2018	2018	01/05/2019
OFFICE INFORMATION Tax Collections (828) 452-6643 OFFICE INFORMATION	PARCEL IDENTIFICA DESCRIPTION : ACREAGE :	and the same of th	5-0777 ITLE MOUNTAIN RE)
Questions Concerning Value: Real Property (828) 452-6654 Personal Property (828) 452-6640 Business Property (828) 452-6639	REAL ESTATE VALUE DEFERRED REAL VA PERSONAL PROPER EXEMPTION VALUE TOTAL VALUE:	ALUE : RTY VALUE :	275,000 275,000	
PAY BY CREDIT CARD-Real Estate		TAXING DIS	TRICT JA	X PER \$100 AMOUNT DUE

Personal Property & Motor Vehicle Taxes











VISIT US ONLINE www.haywoodnc.net or call 1-877-729-8290

After authorization of your payment, you will be given a confirmation number to keep for your records. Provider charges a fee for this service. The county only receives the tax amount.

Smart Phone users scan QR code to visit us Online www.haywoodnc.net

NORTH CAROLINA GENERAL STATUTE 105-357 PROVIDES A PENALTY OF TEN PERCENT (10%) OR \$25.00 ON CHECKS RETURNED BY THE BANK BECAUSE OF INSUFFICIENT FUNDS OR NONEXISTENCE OF AN ACCOUNT

TAXING DISTRICT	TAX PER \$100 VALUE & FEES	AMOUNT DUE
GENERAL COUNTY LANDFILL FEE	0.5850 164.0000	1608.75 164.00
LATE LIST		0.00
	CURRENT TAX	1,772.75
	PREPAID	0.00
	PRIOR TAX	0.00
THANK YOU	TOTAL DUE	1,772.75

DUE TO BANKING PROCEDURES IMPLEMENTED BY THE COUNTY, YOUR PAYMENT SHOULD BE MAILED TO THE CHARLOTTE ADDRESS WHERE IT IS DIRECT DEPOSITED INTO THE COUNTY'S BANK ACCOUNT. THIS WILL BETTER SERVE YOU AND BE MORE COST EFFECTIVE YOU MAY USE THE ADDRESS PRINTED ON THE BILL OR OUR PERMANENT ADDRESS OF 215 N. MAIN STREET SUITE 224 WAYNESVILLE, NC 28786

State of	North	Carolina
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> File No. County of Hearing File No. County of Origin 17052975

HAYWOOD

County WAYNESVILLE ACT Seat of Court

In the General Court of Justice X District Superior

STATE VERSUS

BENSON, ANGELL KIRKPATRIC

HAYWOOD CO., C.S.C. VIOLATION REPORT

365 LOVE LN WAYNESVILLE

NC 287863678

WHITE FEMALE DOB: 05/05/1971

G.S. 15A-1345

ADMINISTRATIVE REVIEW

The violations listed on this Violation Report were reviewed with Chief Probation Officer on 01/01/0001

OATH AND SIGNATURE OF OFFICER

I have read the Violation Report, and state that the contents are true to my own knowledge except those which are stated upon information and belief, and as them I believe that they are true.

SWORN AND SUBSCRIBED TO

Signadure of Person Authorized to Administer Oaths.

▼Deputy CSC/Assist CSC __Superior Court Clerk

Magistrate

Date Commission Expires

Notary Public

SIGNATURE OF PROBATIONER

I have received a copy of this Violation Report and understand its contents and that I must appear in pourt as directed by my Probation/Parole Officer.

HEARING NOTICE

WHEREFORE, the above signed requests that a hearing on the charge(s) contained in this report be conducted pursuant to G.S. 15A-1345(e) on the date and at the time and place set forth below, that the notice of this hearing be given in any manner provided by law, and that after such hearing the Court take the action which it considers proper under G.S. 15A-1344(d) and/or 15A-1344(e1).

Time: 9:10 (AM)/PM

Place: Haywood District Court

'ENSON, ANGELL KIRKPATRIC DOC# 1586974 17052975 OCC10 Rev. 2/12.

RMA46

10/23/18 15:27:21 page: 1

The probation officer, being duly sworn, states that the defendant was placed on probation pursuant to the following Judgment Suspending Sentence

Date of County

Judgment Court of Origin File No. Offense 08/09/2018 DIST HAYWOOD 17052975 DWI LEVEL 1

Counts 001

Length of Sentence Min: 2YR 0MO 0DY Max: 2YR 0MO 0DY Length of Term of Probation: 0 YRS. 18 MOS. 0 DYS. Sentencing Judge: BRITTAIN, MACK

***THE DEFENDANT HAS PREVIOUSLY SERVED 0 PERIODS OF CONFINEMENT IN RESPONSE TO VIOLATIONS. ***

THE DEFENDANT HAS THE FOLLOWING 2 OR 3 DAY PERIODS OF CONFINEMENT. *

Of the conditions of probation imposed in that judgment, the defendant has willfully violated:

- 1. Condition of Probation "Not use, possess or control any alcoholic beverage ... remain alcohol free" in that ON 08/09/2018 HONORABLE THOMAS M BRITTAIN ORDERED THAT THE DEFENDANT "NOT HAVE/USE/POSSES ALCHOL" AS A SPECIAL CONDITION OF PROBATION.
 - * ON 10/23/2018 DURING A COMPLIANCE CHECK AT THE DEFENDANTS RESIDENCE SHE WAS FOUND TO BE IN POSSESSION OF 2 "JOHNY BOOTLEGGER" PEACH SHOT 6.8 FL OZ BOTTLES.

ONE BOTTLE WAS IN THE DEFENDANTS KITCHEN AND THE OTHER BOTTLE WAS LOCATED ON THE DEFENDANTS PERSON.

* THE DEFENDANT ADMITTED CONSUMING ALCHOL TODAY 10/23/2018

STATE OF NORTH CAROLINA	File No. 17 CR52975
HAYWOOD County	In The General Court Of Justice ☑ District ☐ Superior Court Division
STATE VERSUS	IMPAIRED DRIVING
Name Of Defendant	DETERMINATION OF SENTENCING FACTORS
1) Wide palatel Rossa	(For Offenses Committed On Or After Dec. 1, 2011)
Angell Kirkpatrick Benson	G.S. 20-179
aggravating factors and aggravating factors marked below beyond a reasonable do preponderance of the evidence.	
the grossly aggravating factors and aggravating factors marked below beyond a rea	etermines that the State has proved that grossly aggravating factor beyond a reasonable
I. GROSSLY AGGRAVATING	G FACTORS - G.S. 20-179(c)
(NOTE: Either Nos. 1 and 2 or No. 3 apply in each case except aiders and	abettors. If No. 1 is checked, No. 2.a., 2.b., or 2.c. must also be checked.)
1. The defendant a. has been convicted of a prior offense involving impaire date of this offense.	d driving which conviction occurred within seven (7) years before the
□ b has □ two □ three or more convictions as desc	iving which conviction occurred after the date of the offense for which is poraneously with the sentencing in this case.
- has a prior conviction in District Court for an offense in	volving impaired driving, the conviction was appealed to Superior been remanded back to District Court, and a new sentencing hearing 7.
g. drove, at the time of the current offense, while the defe to December 1, 2015) under G.S. 20-28 and the revocation (use for offenses committed on or after December 1, 2015)	endant's drivers license was revoked (use for offenses committed prior on was an impaired driving revocation under G.S. 20-28.2(a). (b) pursuant to G.S. 20-28(a1).
 ☐ h. caused, by the defendant's impaired driving at the time ☐ i. drove, at the time of the current offense, while a child to the current offense. 	of the current offense, serious injury to another person.
j. drove, at the time of the current offense, while a person was in the vehicle.	n with the mental development of a child under the age of 18 years
k. drove, at the time of the current offense, while a person was in the vehicle.	n with a physical disability preventing unaided exit from the vehicle
2. Therefore, the following level of punishment shall be imposed	1:
a. Aggravated Level One punishment, because three o	r more grossly aggravating factors in No. 1 apply to this defendant.
(NOTE: Each prior conviction is a separate grossly aggrave	
b. Level One punishment, because	lies to this defendant
grossly aggravating factor No. 1.i., 1.j., or 1.k. app	b. 1 (other than grossly aggravating factor No. 1.i., 1.j., or 1.k.) apply
to this defendant.	y. I (other than grossiy aggravating factor ito. Itin, 11,1,10. Itin, 4,5,1
(NOTE: Each prior conviction is a separate grossly aggrave	ating factor.)
C. Level Two punishment, because only one grossly age No. 1.i., 1.j., or 1.k.) applies to this defendant.	gravating factor in No. 1 (other than grossly aggravating factor
3. There are no grossly aggravating factors.	
TA ACCRAVATING AND MITIGATING	G FACTORS - G.S. 20-179(d) AND (e)

AGGRAVATING FACTORS - G.S. 20-179(d):

File No. 17 CR 52975
ACKNOWLEDGEMENT AND/OR RECEIPT FOR SURRENDER OF NORTH CAROLINA LICENSE
G.S. 20-7.2; 20-24: 20-24
STATE VERSUS
Name Of Defendant
Name Of Defendant Angel 4 Repatrick Benson State
ACKNOWLEDGEMENT
I understand that my driver's license(s) is suspended or revoked as of the date of this receipt, and I also understand that the law forbids me to drive a mot vehicle upon the highways while my license suspended or revoked. I have read and understand the contents of this document and do hereby acknowled receipt of a copy.
Acknowledgement Startus (Check One)
N.C. License Surrendered/Out of State License Acknowledged (Do not accept ou of State License)
□ 2 - Limited Driving Privilege Surrendered □ 3 - No License □ 4 - Surrendered License Destroyed in Clerk's Office / IV-D Office
NOTE: Obtain defendant's signature whenever the defendant surrenders a license or a limited privilege at a result of a conviction, or acknowledges out of statilicense or absence of privilege and revocation effective this date.
The acknowlegement above was received on the dat above and transmitted to DMV.
Signature
Deputy CSC Assistant CSC CSC IV-D
Original - Court File Copy- Defendent
DL-53 (Rev. 2/12)