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STATE OF NORTH CAROLINA
In The General Court of Justice

Orange County

CERTIFICATE OF
TRUE COPY
1983 FEB 18 AM 9 13

B.E. JAMES, CLERK
THE N.C. STATE BAR

Office of the Clerk of the Superior Court

As Clerk of the Superior Court of this County, which is a Court of Record, having an official seal, which is affixed, do certify the attached (~~two(2)~~ sheets) to be a True Copy of Judgment Suspending Sentence -State -vs Oliver K. Bagwell, Jr. 83CRS1828.

as the same is taken from and compared with the original now on file in this Office.

Witness my hand and the seal of the Superior Court

SEAL

Date	February 16, 1983
Signature	[signature]

☐ Deputy CSC ☒ Assistant CSC ☐ Clerk of Superior Court

AOC-G-101
Rev. 5/82.

STATE OF NORTH CAROLINA
In The General Court of Justice
☐ District ☒ Superior Court Division

Orange County

File No.
83 CRS 1828

Film No.

STATE VERSUS

Defendant
Oliver K. Bagwell, Jr.

Race	Sex	Age
white	male	

JUDGMENT SUSPENDING SENTENCE

☒ Misdemeanor ☐ Special Probation ("Split sentence")
☐ Fair Sentencing Act Felony
☐ Pre-Fair Sentencing Act Felony

Attorney for State
Donald Stevens

Attorney for Defendant
☐ Waived attorney
Alonzo Coleman, Jr.

In open court the defendant appeared for trial on the following File No(s), and Charge(s) (include dates of offenses):

Possession of Cocaine and Obstruction of Justice — May 26, 1982 — 83 CR 1828

The defendant ☒ pled guilty to: ☐ was found guilty of: ☐ pled no contest to:

Offense(s)	G.S. No.	Felony/Misd.	Felony Class	Maximum Prison Term Allowed by Law
Possession of Cocaine	90-95(a)	Misd.		2 yrs
Obstruction of Justice	Common Law	Misd.		2 yrs

☒ The above listed offenses are consolidated for the purpose of judgment.
The Court having considered evidence, arguments of counsel, and statement of the defendant ORDERS AND ADJUDGES that the defendant be imprisoned

For a term of:
2 yrs

In the custody of the
☒ N.C. Dept. of Correction
☐ Sheriff of _____ County

NOTE: For Fair Sentencing Act Felonies, Judge may not impose a minimum and maximum prison term.

☐ The defendant shall be given credit against the suspended sentence of _____ days for time spent in confinement prior to judgment.

With the consent of the defendant, the execution of this sentence is suspended for the period and under the terms and conditions set out below.

Total Period of Suspension	Period of Supervised Probation	Period of Unsupervised Probation
1 year	1 year	

☐ Under the conditions of probation set out below, the entry of judgment of guilty is withheld pursuant to G.S. 90-96.

☐ (SPECIAL PROBATION) With the consent of the defendant, the execution of this sentence is suspended, and the defendant is placed on special probation (G.S. 15A-1351(a)) for the period and under the conditions set out below. As further conditions, the defendant shall serve an active period of imprisonment as specified below and shall obey the Rules and Regulations of the N.C. Department of Correction governing the conduct of inmates.

Total Period of Suspension	Active Prison Term	Period of Supervised Probation	Period of Unsupervised Probation

In the custody of the
☐ N.C. Dept. of Correction ☐ Sheriff of _____ County.

During the period of suspension the defendant shall:

☐ 1. Commit no criminal offense.

☐ 2. Remain within the jurisdiction of the court and not move or change his place of residence without the written permission of his probation officer.

☐ 3. Report as directed by his probation officer to such officer at reasonable times and places and in a reasonable manner, and permit such officer to visit him at reasonable times and answer all reasonable inquiries by the officer.

AOC-CR-302
Rev. 6/84

☐ 4. Submit at reasonable times to warrantless searches by his probation officer of his person, his vehicle or premises while he is present, for purposes reasonably related to his probation supervision.

☐ 5. Support his dependents and meet other family responsibilities.

☐ 6. Pay into the Office of the Clerk of Superior Court the following sums:

Fine	Cost	As restitution for his court appointed attorney or public defender.	Restitution
$	$ 54.00	$	$

Name(s) and Addresses of Person(s) to Receive Restitution

Total Amount Due	Payment Schedule
$	To be paid in full by March 1, 1983.

Support For	In The Amount Of	Payment Schedule
	$	

☐ 7. Upon payment of the "Total Amount Due" as shown above, the Probation Department may transfer the defendant to Unsupervised Probation.

☐ 8. Surrender his driver's license to the Clerk of Superior Court for a period of _____ and not operate a motor vehicle until he has in his possession a valid North Carolina license or a limited driving privilege.

☐ 9. With the approval of his probation officer, attend a school or training program, and submit each month a written statement from the school program to his probation officer showing his faithful participation.

☐ 10. Remain gainfully employed and immediately notify his probation officer if he fails to obtain suitable employment or changes employment.

☐ 11. Possess no firearm, destructive device or other dangerous weapon.

☐ 12. Successfully complete the Alcohol and Drug Education Traffic School within 90 days of this date and pay a fee of $100.00 for such school within 14 days from the date of this judgment.

☒ 13. Other conditions of probation. (a) That the defendant is supervised in regard to the Probation Officer helping him select public or community services or projects that he can participate in. As to any other portion of his sentence, it is the Court's intentions that he not be supervised.
(b) That he surrender his law license to the Clerk of Superior Court of Orange County and said license to be retained in the custody of the Court for one year and the defendant is not to engage in the practice of law or hold himself out as an attorney for one year.
(c) That the defendant voluntarily engage in programs in public or community services as deemed appropriate by the Probation/Parole Officer.

For Use With Fair Sentencing Act Felonies Only

The Court has considered the aggravating and mitigating factors in G.S. 15A-1340.4(a) and:

☐ makes no written findings because the prison term imposed is pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.

☐ makes no written findings because the prison term imposed is the presumptive term or is the mandatory minimum term required by law.

☐ makes written findings set forth on the Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303)

☐ (ORDER OF COMMITMENT ON SPECIAL PROBATION) It is ORDERED that the clerk deliver three certified copies of this Special Probation Judgment to the Sheriff or other qualified officer and that the officer cause the defendant to be delivered, with these copies of the judgment, to the custody of the agency named on the reverse to serve the active portion of the prison term or until he shall have complied with the condition for release pending appeal.

Date	Name of Presiding Judge	Signature of Presiding Judge
Feb. 9, 1983	Henry V. Barnette, Jr.	Henry V. Barnette, Jr.

I certify that this Judgment and Commitment ☐ and attached: Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR 303) is true and complete copy of the original Judgment which is on file in this case.

Date of Certification	Date Certified Copies Delivered to Sheriff	Signature and Seal

☐ Deputy ☐ Assistant ☐ Clerk of Superior Court

I certify that a copy of these Terms and Conditions of Probation have been given to me and each of the conditions explained to me by a Probation Officer, and I agree to them. I understand that if I violate any of these conditions, I will be subject to arrest, revocation of probation and execution of the suspended sentence.

Date Received	Signature of Probationer
2-9-83	O.K. Bagwell, Jr.
Signature of Probation Officer	**Address of Probationer**
Ginger Smith Talbot	211 Glenburnie St., #4 Chapel Hill

STATE OF NORTH CAROLINA)
)
VS)
)
OLIVER K. BAGWELL, JR.)

PROBATION JUDGMENT continued:

(d) That the defendant submit himself for evaluation and in an appropriate drug evaluation and drug rehabilitation program to determine whether he has a psychological dependency upon drugs. If it is deemed he does, then it is Ordered that he undergo any counseling or treatment that is advised.

This the 9th day of February, 1983.

Henry V. Barnette, Jr.
Judge Presiding