

# Supreme Court of North Carolina

STATE OF NORTH CAROLINA

v

JOHN EDWARD BUTLER

From N.C. Court of Appeals  
( P14-558 P15-886 P18-27 P21-230 )  
From Robeson  
( 89CR22354 89CR22377 89CR18633 )

## ORDER

The following order has been entered on the motion filed on the 27th of September 2021 by Defendant to Appeal Petition for Writ of Habeas Corpus and New Discovery Motion:

"Motion Denied by order of the Court in conference, this the 2nd of November 2022."

s/ Berger, J.  
For the Court

The following order has been entered on the motion filed on the 27th of September 2021 by Defendant to Appeal Petition for Writ of Certiorari, Motion for Post-Conviction DNA Testing, All Other DNA Motions, and Motion AOC-G-108 Petition to Sue as Indigent:

"Motion Dismissed by order of the Court in conference, this the 2nd of November 2022."

s/ Berger, J.  
For the Court

Upon consideration of the petition filed by Defendant on the 7th of June 2022 in this matter for a writ of mandamus, the following order was entered and is hereby certified to the Superior Court, Robeson County:

"Denied by order of the Court in conference, this the 2nd of November 2022."

s/ Berger, J.  
For the Court

Upon consideration of the petition filed by Defendant on the 23rd of September 2022 in this matter for a writ of mandamus, the following order was entered and is hereby certified to the Superior Court, Robeson County:

"Denied by order of the Court in conference, this the 2nd of November 2022."

s/ Berger, J.  
For the Court

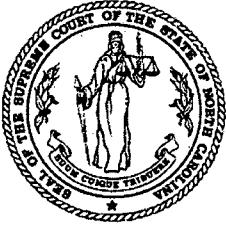
The following order has been entered on the motion filed on the 23rd of September 2022 by Defendant to

Appeal Certiorari:

"Motion Dismissed by order of the Court in conference, this the 2nd of November 2022."

**s/ Berger, J.  
For the Court**

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 7th day of November 2022.



Grant E. Buckner  
Clerk, Supreme Court of North Carolina

  
M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals  
Mr. John Edward Butler, For Butler, John Edward  
Ms. Kathleen N. Bolton, Assistant Attorney General, For State of N.C. - (By Email)  
Hon. L. Johnson Britt, III, District Attorney  
Hon. Shelia G. Smith, Clerk  
West Publishing - (By Email)  
Lexis-Nexis - (By Email)



# Supreme Court of North Carolina

GRANT E. BUCKNER, Clerk  
Justice Building, 2 E. Morgan Street  
Raleigh, NC 27601  
(919) 831-5700

Fax: (919) 831-5720  
Web: <https://www.nccourts.gov>

Mailing Address:  
P. O Box 2170  
Raleigh, NC 27602

From N.C. Court of Appeals  
( P14-558 P15-886 P18-27 P21-230 )  
From Robeson  
( 89CR22354 89CR22377 89CR18633 )

19 December 2022

Mr. John Edward Butler  
Pro Se  
Bertie Correctional Institution  
#0059727  
P.O. Box 129  
Windsor, NC 27983

**RE: State v. John Edward Butler - 629P01-10**

Dear Mr. Butler:

The following order has been entered on the motion filed on the 31st of October 2022 by Defendant for Certiorari:

"Motion Dismissed by order of the Court in conference, this the 13th of December 2022."

**s/ Berger, J.**  
For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 19th day of December 2022.

Grant E. Buckner  
Clerk, Supreme Court of North Carolina

*M. C. Hackney*  
M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:  
North Carolina Court of Appeals  
Mr. John Edward Butler, For Butler, John Edward  
Ms. Kathleen N. Bolton, Assistant Attorney General, For State of N.C. - (By Email)  
Hon. Matthew Scott, District Attorney  
Hon. Shelena G. Smith, Clerk  
West Publishing - (By Email)  
Lexis-Nexis - (By Email)





# Supreme Court of North Carolina

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From N.C. Court of Appeals  
( P14-558 P15-886 P18-27 P21-230 )  
From Robeson  
( 89CR22354 89CR22377 89CR18633 )

19 December 2022

Mr. John Edward Butler  
Pro Se.  
Bertie Correctional Institution  
#0059727  
P.O. Box 129  
Windsor, NC 27983

RE: State v John Edward Butler - 629P01-10

Dear Mr. Butler:

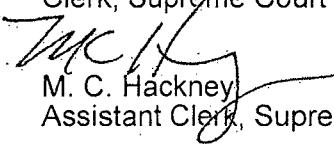
The following order has been entered on the motion filed on the 31st of October 2022 by Defendant to Resolve and Exhaust State Remedy:

"Motion Dismissed by order of the Court in conference, this the 13th of December 2022."

s/ Berger, J.  
For the Court

WITNESS my hand and the seal of the Supreme Court of North Carolina, this the 19th day of December 2022.

Grant E. Buckner  
Clerk, Supreme Court of North Carolina

  
M. C. Hackney  
Assistant Clerk, Supreme Court Of North Carolina

Copy to:

North Carolina Court of Appeals  
Mr. John Edward Butler, For Butler, John Edward  
Ms. Kathleen N. Bolton, Assistant Attorney General, For State of N.C. - (By Email)  
Hon. Matthew Scott, District Attorney  
Hon. Shelia G. Smith, Clerk  
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NORTH CAROLINA  
ROBESON COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILE NO. 89 CRS 18633  
2022 JUL 21 A 1:11

STATE OF NORTH CAROLINA

VS.  
JOHN E. BUTLER

} 100-0002  
} *44*  
} ORDER  
}

THIS CAUSE, coming on to be heard and being heard upon a paperwriting, purporting to be, or being considered by the court as a "Motion for Certiorari" "Motion of Mandamus to North Carolina Court of Appeals to Propel Honorable James Gregory Bell, Judge and State Superior Court to Answer Petitioner, Petition Writ of Certiorari". The court, having considered the allegations contained in the motion and the case file, finds as a fact that the motion sets forth no probable grounds for the relief requested, either in law or in fact.

Upon the hearing hereof, the court makes the following FINDINGS AND CONCLUSIONS.

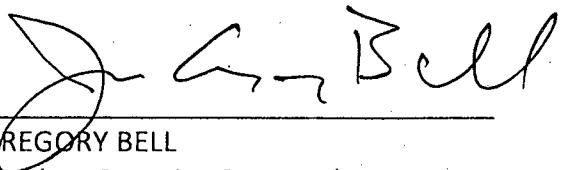
1. That the facts alleged in defendant's petition indicate matters of which he complains have been addressed and answered.
2. Letter was written to said defendant on August 3, 2021 that states that you filed a motion for notice of appeal, from a decision from Superior Court and to sue as an indigent.
3. Letter received from the North Carolina Court of Appeals that an Order has been entered on the Motion that was filed on the 22<sup>nd</sup> of December 2020 by said defendant for "**Writ of Mandamus**". Motion Denied by Order in conference on the 10<sup>th</sup> day of August 2021.
4. Letter received from the North Carolina Court of Appeals that an Order has been entered on the 16<sup>th</sup> day of July 2021 by defendant to **Appeal Habeus Corpus**. Motion denied by Order of the Court Conference on the 10<sup>th</sup> day of August 2021.
5. Order was entered by the Court of Appeals dated the 8<sup>th</sup> of September 2021, where the petitioner seeks a **Writ of Mandamus**, the petition is dismissed.
6. Order was entered by the Court of Appeals dated the 21st of October, 2021 where the petitioner seeks "**Petition for Writ of Certiorari**" is denied.
7. There are no probable grounds for relief shown in the defendant's petition.

IT IS NOW, THEREFORE, ORDERED:

1. That the motion be and same is hereby denied.
2. That the defendant's failure to assert any other grounds in this motion shall constitute a bar to the raising of such grounds in the future.
3. That the Clerk shall forward a copy of this order to the defendant, the District Attorney and to the Secretary of the Department of Correction.

Page 2  
Order  
John E. Butler

ENTERED on this the 22 day of July, 2022.

  
\_\_\_\_\_  
JAMES GREGORY BELL  
Senior Resident Superior Court Judge



PCAR119C (14)

STATE OF NORTH CAROLINA  
POST-RELEASE SUPERVISION AND PAROLE COMMISSION

ROY COOPER  
GOVERNOR

WILLIS J. FOWLER  
CHAIRMAN

2020 YONKERS ROAD  
4222 MAIL SERVICE CENTER  
RALEIGH NC 27699-4222  
(919) 716-3010

COMMISSIONERS  
GRAHAM H. ATKINSON.  
JAMES L. FORTE  
DANNY G. MOODY

YA-18

08/25/2017

0059727 MR. JOHN E. BUTLER  
3310 ODOM CI

DEAR MR. BUTLER:

THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION HAS REVIEWED AND EVALUATED ALL AVAILABLE INFORMATION SURROUNDING YOUR CASE AND CONCLUDED THAT PAROLE SHOULD NOT BE GRANTED AT THIS TIME. THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION REACHED THIS DECISION BECAUSE OF THE FOLLOWING REASONS:

YOUR RELEASE AT THIS TIME WOULD UNDULY DEPRECiate THE SERIOUSNESS OF THE CRIME OR PROMOTE DISRESPECT FOR THE LAW.

YOUR CONTINUED CORRECTIONAL PROGRAMMING IN THE INSTITUTION WILL SUBSTANTIALLY ENHANCE YOUR CAPACITY TO LEAD A LAW-ABIDING LIFE IF RELEASED AT A LATER DATE.

THERE IS A SUBSTANTIAL RISK THAT YOU WOULD ENGAGE IN FURTHER CRIMINAL CONDUCT.

YOUR CASE IS SCHEDULED TO BE REVIEWED FOR PAROLE PURPOSES AGAIN ON OR ABOUT 06/01/2020.

SINCERELY,  
NORTH CAROLINA POST-RELEASE SUPERVISION AND PAROLE COMMISSION

CC: UNIT SUPERINTENDENT - 3310

(1)



PCAR119C (14)

STATE OF NORTH CAROLINA  
POST-RELEASE SUPERVISION AND PAROLE COMMISSION

ROY COOPER  
GOVERNOR  
WILLIS J. FOWLER  
CHAIRMAN

2020 YONKERS ROAD  
4222 MAIL SERVICE CENTER  
RALEIGH NC 27699-4222  
(919) 716-3010

COMMISSIONERS  
GRAHAM H. ATKINSON  
ANGELA R. BRYANT  
ERIC A. MONTGOMERY

06/11/2020

0059727 MR. JOHN E. BUTLER  
4445 RANDOLPH CC

DEAR MR. BUTLER:

THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION HAS REVIEWED AND EVALUATED ALL AVAILABLE INFORMATION SURROUNDING YOUR CASE AND CONCLUDED THAT PAROLE SHOULD NOT BE GRANTED AT THIS TIME. THE POST-RELEASE SUPERVISION AND PAROLE COMMISSION REACHED THIS DECISION BECAUSE OF THE FOLLOWING REASONS:

THERE IS A SUBSTANTIAL RISK THAT YOU WILL NOT CONFORM TO REASONABLE CONDITIONS OF PAROLE.

THERE IS A SUBSTANTIAL RISK THAT YOU WOULD ENGAGE IN FURTHER CRIMINAL CONDUCT.

YOUR CASE IS SCHEDULED TO BE REVIEWED FOR PAROLE PURPOSES AGAIN ON OR ABOUT 06/01/2023.

SINCERELY,  
NORTH CAROLINA POST-RELEASE SUPERVISION AND PAROLE COMMISSION

CC: UNIT SUPERINTENDENT - 4445

(B)



State of North Carolina  
Post Release Supervision and Parole Commission  
2020 Yonkers Road,  
4222 MSC  
Raleigh, NC 27699-4222  
Telephone (919) 716-3010  
Fax (919) 324-6254

ROY COOPER  
GOVERNOR

WILLIS J. FOWLER  
CHAIRMAN

COMMISSIONERS

GRAHAM H. ATKINSON  
ERIC A. MONTGOMERY  
ANGELA R. BRYANT

July 1, 2020

John Butler #0059727  
Randolph CC #4445

Dear Mr. Butler,

This letter is in response to your recent letter received in this office regarding your case.

On 10/1/08, the Governor signed into law (Session Law 2008-133, Senate Bill 1624) a change in the next scheduled parole review date from one-year reviews to every three-year review for offenders convicted of first-degree murder or second-degree murder being reviewed by the Parole Commission on or after October 1, 2008. Your case is reviewed for parole every three years due to Senate Bill 1624.

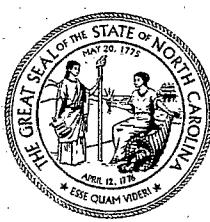
MAPP is not a legally enforceable contact but is an agreement which is established jointly by the Division of Prisons and the Post-Release Supervision and Parole Commission. Each time the Commission reviews your case for parole, they also review your case for possible placement on MAPP. You have been eligible for parole since 7/21/2011 and you must be reviewed for parole/MAPP every three years, per Senate Bill 1624. However, you are serving a Life sentence so there is no point at which you must be paroled. Whether or not you will be paroled will remain at the discretion of the Parole Commission.

Sincerely,

*Karen L. Gregory*

Karen L. Gregory  
Senior Parole Case Analyst

(3)



STATE OF NORTH CAROLINA  
OFFICE OF THE GOVERNOR

ROY COOPER  
GOVERNOR

April 2, 2019

Mr. John Butler  
Post Office Box 1149  
Hillsborough, North Carolina 27278

Dear Mr. Butler:

This office has received your correspondence requesting clemency, or in your case a commutation.

In some cases, a commutation reduces an individual's sentence sufficiently to make them eligible for parole. However, since you are already eligible for parole, a commutation would not be appropriate in your case. Parole falls under the jurisdiction of the Parole Commission. You might consider contacting your Parole Case Analyst, Ms. Karen Gregory, 4222 Mail Service Center, Raleigh, North Carolina, 27699-4222 with any questions you may have regarding parole.

Sincerely,

A handwritten signature in cursive script that appears to read "Laura Loewe".

Laura Loewe  
Assistant to  
Governor's Clemency Administrator

LL

Offender Name: BUTLER, JOHN E

OPUS #: 0059727

The following information is to help you to understand the areas of your life that your case manager will be discussing with you during your incarceration. You can use this information as a guide to help yourself be successful while serving your sentence in prison.

**Assigned Service Priority Level: L4 as of: 07/17/2017**

**Risk Level: Minimal** - You scored in the Minimal risk of re-arrest range.

**Needs Level: Moderate**

There are certain characteristics in a person's life that tend to lead them to commit crime. Based on your responses to the assessment questions and your Case Manager's observations, the following areas of need appear to be influencing your behavior. The characteristics below are related to the likelihood a person will continue to commit crime.

- It appears some of your family members or significant others cause you stress. You have indicated current or past family issues which can increase your risk of committing new crime.

**Motivation**

Problem Life Area	Interest in Improving (out of 10)	Suggestions for Improvement
Financial	4	get a job

**List your Strengths:** (positive things, people, or activities in your life. What is going well in your life? What motivates you?)

**List your Triggers:** (people, places, or events that lead you back to crime or lead to destructive decision making)

**Date**

Offender BUTLER, JOHN E Signature: \_\_\_\_\_

Case Manager ADAMS, C. Signature: \_\_\_\_\_

**Distribution:**

Original - Field/Unit Jacket

Copy - Inmate

North Carolina Department of Public Safety

CC: City, Governor  
L. Perry, Secretary

W. David Guice, Commissioner  
George T. Solomon, Director

**MORANDUM**

0  
To: [REDACTED]  
Bamlico CI  
Cheryl [REDACTED]  
MAPP Director  
MAPP Program

DATE: September 4, 2013

A letter to Marshall Pike dated August 23, 2013 has been forwarded to me for response. Below are the criterions for consideration on the MAPP program:

Eligibility requirements: Any inmate who is within three years of parole eligibility can be considered for MAPP participation provided the following criterion is met:

- (1) The inmate is in either medium or minimum custody;
- (2) The inmate is not subject to a detainer or pending court action which may result in further confinement;
- (3) The inmate has not had an infraction within 90 days;
- (4) The inmate, if sentenced under the Fair Sentencing Act, is otherwise eligible for Community Service Parole or Emergency Powers Act Parole (270 Day Parole).

If you are serving a life sentence you can only be released through parole. This office does not submit referrals for the MAPP Program. ~~When the Parole Commission reviews your case, they also review you for participation in the MAPP program. If you are in a parole investigation, they may consider you for participation in the MAPP program. However, if you are denied parole, you cannot be considered for MAPP participation. Parole Release dates can only be set on the 15th and 30th of each month.~~ Case Managers can refer you but it is necessary to do so until you are at least 2-3 months prior to your Parole review date as this is when the Parole Commission may start reviewing your case and all referrals are forwarded to the Parole Commission for final approval. Therefore, the Case Manager can refer you for your parole review and let the Parole Commission submit a referral if they choose to do so. If a referral is forwarded to this office by either the Parole Commission or the Facility, it will be reviewed. For assistance with parole issues, please contact your Parole Case Manager or your Case Manager for your Parole Eligibility date. As far as being promoted to minimum custody, please contact your Case Manager. Thank you.

MAILING ADDRESS:  
1250 Mail Service Center  
Raleigh, NC 27699-4280  
www.ncdps.gov



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840 W. Morgan St.,  
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Fax: (919) 715-5094

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155



# North Carolina Department of Public Safety

## Rehabilitative Programs and Services

Roy Cooper, Governor  
Erik A. Hooks, Secretary

Tim Moose, Deputy Secretary

### MEMORANDUM

**TO:** John Butler #0059727  
Odom Correctional Institution #3310

**FROM:** *James Watson*, MAPP Director  
Rehabilitative Programs & Services

**DATE:** November 22, 2017

**RE:** Mutual Agreement Parole Program

This is in response to your letter dated October 5, 2017 to Mr. Shane Tharrington. The decision to grant you parole will be decided totally by the N.C Post Release Supervision and Parole Commission. Your current parole case analyst is Mr. Brett Bartholomew. When the Parole Commission considers you for parole, there is always the possibility for parole by MAPP or regular parole. Below is some information and criterions about the MAPP program.

- (1) The inmate is considered for the MAPP during their first scheduled parole review date and each year after on the parole eligibility review date;
- (2) The inmate is in either medium or minimum custody;
- (3) The inmate is not subject to a detainer or pending court action which may result in further confinement
- (4) The inmate has not had an infraction within 90 days;

Inmates are reviewed during their parole eligibility date and each year that they are eligible for parole. The MAPP is designed for gradual progression through the system with participation on community based programs for observation prior to parole. If you are denied parole, you can not be considered until your next parole review. Agreements are assigned from 12-36 months while establishing a parole release date. Once you are paroled from Prison, you will remain on parole until further notice from the Parole Commission. **Case Managers can refer you when you become eligible for review, but it is not feasible to do so until you are at least 2-3 months prior to your Parole review date as that is when the Parole Commission may start reviewing your case and all referrals are forwarded to the Parole Commission for final approval.** A referral from the facility does not guarantee approval for MAPP as approval is based on your parole investigation and a decision from the Parole Commission, which will be during your parole eligibility date and not before. Therefore, the Case Manager can wait for your parole review and let the Parole Commission submit a referral if they choose to do so. If a referral is forwarded to this office by either the Parole Commission or the Facility, it will be reviewed at that time. All parole decisions are made by the NC Post Release Supervision and Parole Commission. For assistance with parole issues, please contact your parole Case Analyst or your Case Manager for your Parole Eligibility date.

cc: File

**MAILING ADDRESS:**  
4221 Mail Service Center  
Raleigh, NC 27699-4221  
[www.ncdps.gov](http://www.ncdps.gov)



An Equal Opportunity employer

**OFFICE LOCATION:**  
3040 Hammond Business Place  
Raleigh, NC 276903  
Telephone: (919) 733-3388  
Fax: (919) 715-7094

11

## GENERAL ASSEMBLY OF NORTH CAROLINA

### SESSION 2007

H

D

HOUSE DRH30369-LH-214 (3/27)

Short Title: Balance Fair Sentencing/Structured Sentencing.

(Public)

Sponsors: Representative Allred.

Referred to:

A BILL TO BE ENTITLED  
AN ACT TO BALANCE FAIR SENTENCING AND STRUCTURED SENTENCING AND TO  
KEEP INMATES WHO POSE GREAT RISKS TO SOCIETY IN THE PRISONS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 143B of the General Statutes is amended by adding a new section to read:

**§ 143B-268. Recalculation of sentence for parole.**

(a) Notwithstanding any other provision of law, any person in the custody of the Department of Correction who was convicted for an offense that occurred prior to the effective date of Article 81B of Chapter 15A of the General Statutes, shall be paroled by the Commission if all of the following conditions are met:

(1) The Commission determines that the person has served more time in custody than the person would have served if sentenced to the maximum sentence under the provisions of Article 81B of Chapter 15A of the General Statutes. The "maximum sentence," for the purposes of this section, shall be calculated as set forth in subsection (b) of this section.

(2) The Commission determines that the person does not pose a substantial risk of violence or recidivism.

(3) The Commission determines that the person's crime was not so heinous that the Commission cannot in good conscience release the person.

This section shall not apply to persons sentenced to life imprisonment for first degree murder.

(b) For the purposes of this section, the following rules apply for the calculation of the maximum sentence:

(1) The offense upon which the person was convicted shall be classified as the same felony class as the offense would have been classified if committed after the

effective date of Article 81B of Chapter 15A of the General Statutes.

(2) The minimum sentence shall be the maximum number of months in the presumptive range of minimum durations in Prior Record Level VI of G.S. 15A-1340.17(c) for the felony class determined under subdivision (1) of this subsection. The maximum sentence shall be calculated using G.S. 15A-1340.17(d), (e), or (e1).

(3) If a person is serving sentences for two or more offenses that are concurrent in any respect, then the offense with the greater classification shall be used to determine a single maximum sentence for the concurrent offenses. The fact that the person has been convicted of multiple offenses may be considered by the Commission in making its determinations under subsection (a) of this section.

(c) The Commission's findings and determinations under this section are final and are not reviewable by any court."

**SECTION 2.** The Commission shall give priority in its determinations under subsection (a) of G.S. 143B-268 to those prisoners who have served the greatest amount of time in excess of what each prisoner would have served if sentenced under the provisions of Article 81B of Chapter 15A of the General Statutes and who have not previously been considered for parole. The Commission shall report the results of the implementation of this act to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Committee on or before June 1, 2008.

**SECTION 3.** This act becomes effective December 1, 2007.

# PROGRAM FOCUS

## The Development of Sentencing Guidelines (1990-93)

By 1990, the system had deteriorated so badly that an overhaul was necessary. Recognizing the complexity of the system, which had many connected parts, the General Assembly created a Sentencing and Policy Advisory Commission to propose comprehensive changes. After 2 years of study, the commission proposed a sentencing structure now familiar in other "guideline" States. (See "The Structured Sentencing Movement.")



The General Assembly (Senate is shown here) passed legislation to ensure that judges had a wide range of well-funded community corrections as alternatives to prison for less serious offenders.

The proposed guidelines ranked felony offenses using levels of severity that reserved long prison sentences for violent offenders causing bodily harm. The guidelines also used three levels to rank misdemeanors in an effort to prevent uncontrolled use of jails to bypass prison limits.

**How the sentencing commission ranked offenses.** The rankings for offense seriousness created the vertical

**Exhibit 1. Felony Punishment Chart in Months**  
(Effective for Offenses Committed On or After 12/1/95)

Felony Type	Prior Record Level					
	I 0 Pts	II 1-4 Pts	III 5-8 Pts	IV 9-14 Pts	V 15-18 Pts	VI 19+ Pts
<b>Murder 1</b>	D/LWP	D/LWP	D/LWP	D/LWP	D/LWP	D/LWP
<b>Rape</b>	P 240-300 192-240 144-192	P 288-360 230-288 173-230	P 336-420 269-336 202-269	P 384-480 307-384 230-307	P LWP 346-433 260-346	P LWP 384-480 288-384
<b>Murder 2</b>	P 157-196 125-157 94-125	P 189-237 151-189 114-151	P 220-276 176-220 132-176	P 251-313 201-251 151-201	P 282-353 225-282 169-225	P 313-392 251-313 188-251
<b>Kidnaping</b>	P 73-92 58-73 44-58	P 100-125 80-100 60-80	P 116-145 93-116 70-93	P 133-167 107-133 80-107	P 151-188 121-151 90-121	P 168-210 135-168 101-135
<b>Armed Robbery</b>	P 64-80 51-64 38-51	P 77-95 61-77 46-61	P 103-129 82-103 61-82	P 117-146 94-117 71-94	P 133-167 107-133 80-107	P 146-183 117-146 88-117
<b>Voluntary Manslaughter</b>	I/P 25-31 20-25 15-20	I/P 29-36 23-29 17-23	P 34-42 27-34 20-27	P 46-58 37-46 28-37	P 53-66 42-53 32-42	P 59-74 47-59 35-47
<b>Involuntary Manslaughter</b>	I/P 16-20 13-16 10-13	I/P 19-24 15-19 11-15	I/P 21-26 17-21 13-17	P 25-31 20-25 15-20	P 34-42 27-34 20-27	P 39-49 31-39 23-31
<b>Burglary Second Degree</b>	I/P 13-16 10-13 8-10	I/P 15-19 12-15 9-12	I/P 16-20 13-16 10-13	I/P 20-25 16-20 12-16	P 21-26 17-21 13-17	P 29-36 23-29 17-23
<b>Breaking and Entering</b>	C/I/P 6-8 5-6 4-6	I/P 8-10 6-8 4-6	I/P 10-12 8-10 6-8	I/P 11-14 9-11 7-9	I/P 15-19 12-15 9-12	P 20-25 16-20 12-16
<b>Possession of Cocaine</b>	C 6-8 4-6 3-4	C/I 6-8 4-6 3-4	I 6-8 5-6 4-5	I/P 8-10 6-8 4-6	I/P 9-11 7-9 5-7	I/P 10-12 8-10 6-8

### Disposition

Aggravated

Presumptive

Mitigated

### Dispositions:

D = Death

LWP = Life Without Parole

P = Prison

I = Intermediate Sanction

C = Community Corrections

Notes: • Slash in dispositions means the judge can choose among the disposition options.  
• Numbers shown are in months and represent the range of minimum sentences.

Source: North Carolina Sentencing and Policy Advisory Commission, revised 8/4/95 and adapted for this Program Focus. Although North Carolina uses the term "active punishment" to denote a prison sentence, the term "prison" has been used here.

NAME	DOC#	CRIME	SENTENCE	TIME SERVED
WILLIE GLADDEN	#0146975	1ST DEGREE MURDER	DEATH/LIFE	19 YEARS
ODEL BATES	#0023121	2ND DEGREE MURDER	LIFE	14 YEARS
PERRY LOWERY	#0249973	1ST DEGREE MURDER	LIFE	23 YEARS
EUGENE VAUGHN	#0417379	1ST DEGREE MURDER	LIFE	14 YEARS
JEFF SWAN	#0397049	2ND DEGREE MURDER	LIFE/REDUCED	5 YEARS
ROBERT BONDURANT	#0037020	1ST DEGREE MURDER	DEATH/LIFE	18 YEARS
JAMES SMALL	#0373445	1ST DEGREE MURDER	DEATH/LIFE	22 YEARS
ELISE MAE MCKEITHAN	#0270733	2ND DEGREE MURDER/ 2 COUNTS	DOUBLE LIFE	11 YEARS
JAMES HUDSON	#0195361	2ND DEGREE MURDER	LIFE	17 YEARS
DAVID HUDSON	#0195268	2ND DEGREE MURDER	LIFE	17 YEARS
ROBERT G. BOCK	#0035922	1ST DEGREE MURDER + RAPE	DEATH/LIFE	19 YEARS
GERALD HENDERSON	#0178076	2ND DEGREE MURDER	LIFE	11 YEARS 5 MONTHS 21 DAYS
CHRISTOPHER PRITCHARD	#0331540	2ND DEGREE MURDER	LIFE	19 YEARS ON PROJECTED MAPP 6/2/07
TERRY W. WEEKS	#0429913	1ST & 2ND DEGREE MURDER	DOUBLE LIFE	22 YEARS ON PROJECTED MAPP 8/17/07
CLEVELAND HUDSON	#0195254	1ST DEGREE RAPE/ATTEMP MURDER	LIFE	23 YEARS
THOMAS E ROWLAND	#0353631	2ND DEGREE MURDER	LIFE	17 YEARS

MICHAEL LLAMAS	#0244252	1ST DEGR MURDER/1ST DEGR RAPE ARMED ROBBERY (3 COUNTS)	TRIPLE LIFE	26 YEARS HE HAD 102 YEARS MINIMUM ON A PLEA DEAL
MICHAEL HARVEY	#0172963	2ND DEGREE MURDER	7-15 YEARS	8 YEARS
LARRY J. COLLEN	#0082990	2ND DEGREE MURDER	LIFE	22 years
STEVE MYERS	#0298227	2ND DEGREE MURDER	LIFE	27 YEARS ON PROJECTED MAPP 1/19/09
JOHNNY WARD	#0487017	2ND DEGREE MURDER	LIFE	11 YEARS
WILLIAM H. BELTON	#0278740	2ND DEGREE MURDER	LIFE	10 YEARS
ZEB GREENE	#0155907	MURDER	LIFE	16 YEARS
CHARLES AYERS	#0013625	MURDER + ASSAULT	LIFE +	16 YEARS
DAMIEN J VEGA	#0417632	2ND DEGREE MURDER	90 YEARS	26 YEARS
RAY V SMITH	#0379025	2ND DEGREE MURDER / 1983	45 YEARS	15 YEARS
GARLAND PITTMAN	#0613785	2ND DEGREE MURDER	40 YEARS	12 YEARS
MELVIN A. HESTER	#0180817	2ND DEGREE MURDER	30 YEARS	11 YEARS
KENNETH L. TUCKER	#0412881	2ND DEGREE MURDER	34 YEARS	12 YEARS
HOYLE E. WRAY	#0453870	2ND DEGREE MURDER	32 YEARS	4 YEARS
HENRY T. HAIRSTON	#0161110	2ND DEGREE MURDER	30 YEARS	10 YEARS
JAMES SIMPSON	#0370924	1ST DEGREE MURDR	LIFE	20 YEARS
JEROME P. BRITT	#0046050	1ST DEGREE MURDR	43 YEARS	17 YEARS

KEITH L. WALKER	#0421067	2ND DEGREE MURDER/ROBBERY	40 YEARS	15 YEARS
JEAN B BREWER	# 0044164	1ST DEGREE MURDER	108 YEARS	14 YEARS
JERRY W. EASON	#0116227	1ST DEGREE MURDR	LIFE	25 YEARS
CARL E. STUFFELL	#0394304	2ND DEGREE MURDER	LIFE	18 YEARS
ARTIBA D HARRISON	#0169058	1ST DEGREE MURDR	LIFE	22 YEARS