ATTACHMENT

1

WARRANT FOR ARREST

STATE OF NORTH CAROLINA

Stanly 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, willfully and feloniously did of malice aforethought kill and murder Ellen Hinson Munford, in violation of the law referenced on this Warrant. [G.S. 14-17]

Offense
First Degree Murder

THE STATE OF NORTH CAROLINA VS.
693943L

Name, Address And Telephone No. Of Defendant
Guy Tobias Legrand
Rt. 1 Box 88
Wadesboro, N.C.

Race	*Sex*	*Date Of Birth*	*Age*
B	M	052859	35

Social Security No.	*Driver's License No.*
184-52-8727	n/a

Name Of Defendant's Employer
Unemployed

Offense Code	*Offense In Violation Of G.S.*
	14-17
	Date Of Offense July 27, 1993

Date Of Arrest And Check Digit No. (From Fingerprint Card)

Complainant (Name, Address Or Department, Phone No.)
Det. Sgt. Tracey Wyrick, S.C.S.O.
Special Agent Tim Caulder, NC S.B.I.
Special Agent Mark Isley, NC S.B.I.
Det. Capt. Roger Page, S.C.S.O.

Witnesses (Names, Addresses, Phone Numbers)
Sheriff Joe E. Lowder
Stanly County Sheriffs Office
Det. Lt. Larry Blankenship, S.C.S.O.
Det. Lt. Todd Lowder, S.C.S.O.

This act was in violation of the law 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 him before a judicial official without unnecessary delay to answer the charge(s) above.

Date Issued	*Signature*	*Location Of Court*
01-25-95	Tony D Ritchie	Albemarle, NC

Date Of Service			*Court Date*	*Court Time*
	☒ Magistrate ☐ Assistant CSC	☐ Deputy CSC ☐ Clerk Of Superior Court	02-21-95	09:30 ☒ AM ☐ PM

AOC-CR-100
Rev. 10/91

002

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 his 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	Date Served	Date Returned
01-25-95	01-25-95	01-25-95

☒ By arresting the defendant and bringing him before:

Name Of Judicial Official
Paul Whitley

☐ This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return
Det. Sgt. Tracey S. Wyrick

Department Or Agency Of Officer
Stanly County Sheriffs Office

RETURN FOLLOWING REDELIVERY

I certify that this Warrant was received and served as follows:

Date Received	Date Served	Date Returned

☐ By arresting the defendant and bringing him before:

Name Of Judicial Official

☐ This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return

Department Or Agency Of Officer

☐ Waived Attorney

PLEA: ☐ guilty ☐ not guilty ☐ no contest

VERDICT: ☐ guilty ☐ not guilty

☐ It is ORDERED that this case be consolidated for judgment with case number _____.

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict it is ORDERED that he: ☐ pay a fine of $_____ and costs. ☐ be imprisoned for a term of _____ in the custody of the ☐ Sheriff. ☐ N. C. DOC. ☐ With defendant's consent, execution of the sentence is suspended and he is placed on unsupervised probation for _____ years, 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 him for suitable employment. 4. satisfy child support and family obligations, as required by the Court. 5. pay to the Clerk of Superior Court the costs of court and any additional sums shown below.

Fine	*Restitution**	*Attorney's Fee*	*Community Service Fee*	*Other*
$	$	$	$	

*The name(s) and address(es) and amount(s) due the person(s) to receive this restitution are:

☐ 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-475.1(b).

☐ 7. surrender his driver's license to the Clerk of Superior Court for transmittal to the Division of Motor Vehicles and not operate a motor vehicle for a period of _____ or until relicensed by the Division, whichever is later, except as may be permitted in a limited driving privilege.

☐ 8. not be found in or on the premises of _____ located at _____.

☐ 9. not assault, communicate with or be in the presence of _____.

☐ 10. this sentence is to run at the expiration of the sentence in case number _____.

☐ 11. Other: _____

☐ The defendant, in open court, gives notice of appeal to the Superior Court.

PROBABLE CAUSE: ☐ Probable cause is found as to all Counts except _____ of this Warrant, 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	*Signature Of District Court Judge*

WAIVER OF PROBABLE CAUSE HEARING: The undersigned defendant, with the consent of his attorney, waives his right to a probable cause hearing.

Date Waived	*Signature Of Defendant*	*Signature Of Attorney*

003

NOTE: If defendant is placed on supervised probation, judge should NOT execute judgment on this form, but on AOC-CR-302. Clerk may use this form for courtroom notes.

ATTACHMENT

2

STATE OF NORTH CAROLINA,

COUNTY OF STANLY.

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 95-CRS-567
95-CRS-847

STATE OF NORTH CAROLINA)
)
vs.)
) ORDER
GUY TOBIAS LeGRANDE,)
)
Defendant.)

This matter coming on to be heard by the undersigned, and upon the Defendant's waiver of arraignment upon both of the superseding indictments returned in the above-captioned matters by the Stanly County Grand Jury on March 13, 1995, this Court, pursuant to N.C.G.S. 15A-646, hereby dismisses the count of the first indictment (now superseded) in 95-CRS-567 returned by the Stanly County Grand Jury on February 13, 1995, and this Court likewise hereby dismisses the count of the first indictment (now superseded) in 95-CRS-847 returned by the Stanly County Grand Jury on February 13, 1995.

This Order does NOT dismiss the superseding indictments returned in the above-captioned matters by the Stanly County Grand Jury on March 13, 1995.

This the 21st day of April, 1995.

Sanford L. Steelman

SANFORD L. STEELMAN, JR.
SUPERIOR COURT JUDGE PRESIDING

NTA

STATE OF NORTH CAROLINA

Stanly County

File No. 95-CRS-5607

In The General Court Of Justice
☐ District ☒ Superior Court Division

STATE VERSUS

Defendant: Huy J. Legrande

DISMISSAL / NOTICE OF REINSTATEMENT

G.S. 15A-302(e);-931;932;-1009

Offense: 1st Degree Indictment dated 2/13/95

☒ DISMISSAL

The undersigned prosecutor enters a dismissal to the above charge(s) and assigns the following reasons:

☐ No crime is charged.

☐ There is insufficient evidence to warrant prosecution for the following reasons:

☐ Defendant has agreed to plead guilty to the following charges:

in exchange for a dismissal of the following charges:

☒ Other (specify) Superseding indictment dated 3/13/95

A jury has not been impanelled nor has evidence been introduced. *(If a jury has been impanelled, or if evidence has been introduced, modify this sentence accordingly.)*

☐ DISMISSAL WITH LEAVE

The undersigned prosecutor enters a dismissal with leave to the above charge(s) and assigns the following reasons:

☐ The defendant failed to appear for a criminal proceeding at which his attendance was required and the prosecutor believes that the defendant can not readily be found.

☐ The defendant has been indicted and cannot readily be found to be served with an Order for Arrest.

☐ The defendant has been found by a court to be incapable of proceeding pursuant to Article 56 of G.S. Chapter 15A.

NOTE: This form must be completed and signed by the prosecutor when the dismissal occurs out of court. The better practice is for the prosecutor to complete and sign the form when the charges are orally dismissed in open court.

Date	Signature Of Prosecutor
4-21-95	S/David Graham

☐ REINSTATEMENT

This case having previously been dismissed with leave because the defendant failed to appear in court as required, is now reinstated for trial.

Date	
	Signature Of Prosecutor

AOC-CR-307
Rev. 12/85

Original - File

ATTACHMENT

3

07

STATE OF NORTH CAROLINA
In the General Court of Justice
Superior Court Division

Stanly County

File No.
95 CRS 000567

Film No.

STATE VERSUS

Defendant
Guy Tobias LeGrande

Date of Offense
July 27, 1993

Offense in Violation of G.S.
14-17

INDICTMENT
MURDER

The jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously and of malice aforethought did kill and murder

Ellen Hinson Munford

Note: This indictment is sufficient to charge both First and Second Degree Murder. G.S. 15-144; G.S. 15-155. A prosecutor who only intends to prosecute for Second Degree Murder may want "Second Degree" typed before "Murder" in the offense block.]

Signature of Prosecutor
Carl A. Tucker

WITNESSES

☒ Tracy Wyrick, SCSD	☐
☒ Tim Caulder, NCSBI	☐
☐	☐
☐	☐

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and, after hearing testimony, this bill was found to be:

☒ A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreman of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

☐ NOT A TRUE BILL

Date
3-13-95

Signature of Grand Jury Foreman
Anne D. Simpson

CR-124. tgc
7/82

008

STATE OF NORTH CAROLINA
In the General Court of Justice
Superior Court Division

Stanly County

File No.
95 CRS 000847
Film No.

STATE VERSUS

endant
ıy Tobias LeGrande

e of Offense June 29, 1993 through November 10, 1993

Offense in Violation of G.S.
14-18.1

INDICTMENT

CONSPIRACY TO COMMIT MURDER

The jurors for the State upon their oath present that on or about the date of offense shown and in the county named ıbove the defendant named above unlawfully, willfully and feloniously did

ginning on or about June 29, 1993, and continuing thereafter through on or about November , 1993, agree, plan, combine, conspire and confederate, with Howard Thomas Munford, Jr., commit the felony of murder, that is, they agreed, each with the other, to unite together r the common object and purpose of murdering Ellen Hinson Munford, a witness against Howard omas Munford, Jr., and collecting and sharing the Transamerica Occidental Life Insurance licy benefits on the life of Ellen Hinson Munford, in violation of N.C.G.S. 14-18.1. This fense was committed in part because of the exercise of Ellen Hinson Munford's official ties, that is, she was to be a witness against Howard Thomas Munford, Jr., in a domestic vil lawsuit and she was to be a witness against Howard Thomas Munford, Jr., in a criminal wsuit, that is, assault on a female by a male over the age of eighteen.

3

Signature of Prosecutor

WITNESSES

☒ Tracy Wyrick, SCSD	☐
☒ Tim Caulder, NCSBI	☐
]	☐
]	☐

he witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and, after hearing testiny, this bill was found to be:

☒ A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreman of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

] NOT A TRUE BILL

3-13-95

Signature of Grand Jury Foreman

R-121

ATTACHMENT

4

STANLY COUNTY
FILED
APR 21 1995
AT 9:35 O'CLOCK A M.
BY [illegible]
CLERK OF SUPERIOR COURT

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

File No. 95-CRS-847
95-CRS-567
Film No.

STATE VERSUS

nt

y TOBIAS LEGRANDE

WAIVER/CERTIFICATION OF ARRAIGNMENT

G.S. 15A-945

MURDER AND CONSPIRACY TO COMMIT MURDER

WAIVER OF ARRAIGNMENT

ccordance with G.S. 15A-945, the undersigned defendant waives arraignment in Superior Court and enters a plea t guilty to the charges contained in the bill of indictment referenced above.

e undersigned defendant and his attorney represent that:

here are no pending pretrial motions.

he only pretrial motions pending are those listed below which are in writing and have been filed with the Clerk of uperior Court.

ns

ISCOVERY
ND ALL
OTIONS RELATING TO THE
EATH PENALTY

Date: April 18, 1995
Signature of Attorney: Walter I. Johnson Jr.
Signature of Defendant: Tony T. LeGrande

CERTIFICATION OF ARRAIGNMENT

tify that the defendant was arraigned on this bill of indictment on the date shown below and entered a plea of:

ilty ☐ not guilty ☐ no contest

Date of Arraignment	Date of Certification

Signature

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk of Superior Court

ATTACHMENT

5

STATE OF NORTH CAROLINA

COUNTY OF STANLY

STATE OF NORTH CAROLINA

v.

GUY TOBIAS LEGRANDE

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION
95 CRS 567

ORDER ON PRE-TRIAL CONFERENCE
Rule 24

THIS CAUSE coming on to be heard and being heard before the undersigned Superior Court Judge Presiding at the April 17, 1995 session of Superior Criminal Court for Stanly County in accordance with an order entered by the Honorable James A. Strickland. This order set the hearing of this conference for the March 14, 1995 session of Stanly County Superior Court. At that term the pre-trial conference was continued until this session by order of the Honorable James C. Davis. Pursuant to the provisions of Rule 24 of the North Carolina Rules of Practice for the Superior and District Courts, a pre-trial conference was held in open court on Friday, April 21, 1995. All of the proceedings were completely recorded. The Defendant was present and represented by his retained counsel, Walter T. Johnson, Jr.. David Graham, Assistant District Attorney, represented the State of North Carolina. The following actions were taken during the conference:

1. This matter was continued at the March, 1995 session of Court for the reason that superseding indictments in this case and a companion case were returned by the grand jury on March 13, 1995, and the defendant wished to review the indictments before this conference being held.

2. The State announced that it intended to try the Defendant capitally on the charge of First Degree Murder.

3. The Court discussed with the parties the existence of aggravating circumstances. The District Attorney stated that the State was relying on one aggravating circumstances as follows: 15A-2000(e)(6). The State of North Carolina has submitted to the Court an adequate basis for the Court to conclude that there exists at least one aggravating factor pursuant to N.C.G.S. 15A-2000 that this case will be prosecuted as a capital case. The defendant presented no evidence to dispute the basis set forth by the State. The State advised the defendant that there may be additional aggravating circumstances which may arise from additional investigation prior to or at the trial of this matter.

4. The defendant, prior to the commencement of the Rule 24 conference filed a waiver of arraignment with the Court, with respect to the superseding indictments dated March 13, 1995 in this case and a companion case.

5. The Defendant filed the following motions on March 27, 1995:

a. Demand for copy of Indictment and List of Witnesses.

b. Motion to Produce.

c. Motion to Produce Statements of Witnesses.

d. Request for Voluntary Disclosure.

e. Motion to Require the Prosecution to disclose evidence favorable to defendant under Brady v. Maryland.

f. Motion for Complete Recording and Transcript of all Proceedings.

g. Motion to Inspect, examine and Test Physical Evidence.

h. Motion for Disclosure of Impeaching Information.

i. Motion to Require State to Reveal any Agreement Entered into Between the State and any Prosecution Witness that could Conceivably influence his testimony.

The State has not responded to these motions to date.

6. The defendant filed a Motion for Bill of Particulars on April 21, 1995.

7. The Court determined that no further pretrial motions were pending at this time. The defendant indicated that he would want to file additional pretrial motions once the state had complied with the discovery requests of the defendant.

8. At no time during the conference did the Court make any determination as to the existence of aggravating circumstances or the sufficiency of the State's evidence that relates to those circumstances. Further, the Court informed the parties that discussions of these issues did not in any way limit, restrict, or determine evidentiary or legal issues that might arise for trial.

9. The Court informed the parties that they may request additional or supplemental pretrial conferences.

This 21st day of April, 1995.

Superior Court Judge

ATTACHMENT

6

STANLY COUNTY
FILED
DEC 21 1995
10:15 A
Clerk, Dist

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

File No. 95 CRS 567
95 CRS 847
Filing No.

STATE VERSUS

Defendant
Guy T. LeGrande

MOTION AND ORDER COMMITTING DEFENDANT TO DOROTHEA DIX HOSPITAL

G.S. 15A-1002

Offense First Degree Murder and Conspiracy to commit Murder

MOTION QUESTIONING DEFENDANT'S CAPACITY TO PROCEED

The undersigned moves that the above named defendant be examined to determine whether by reason of mental illness or defect he is unable to understand the nature and object of the proceedings against him, to comprehend his own situation in reference to the proceedings, and to assist in his defense in a rational or reasonable manner. The specific conduct that leads the moving party to question the defendant's capacity to proceed is as follows:

The Defendant has demonstrated wide mood swings that indicate a possible mental problem. He has exhibited emotions that have indicate possible mental problems

Date December 21, 1995

Signature Walter T. Gist Jr.

☐ Prosecutor ☒ Defendant's Attorney ☐ Judge

CERTIFICATE OF SERVICE BY MOVING PARTY

I certify that a copy of this motion was served by:

☒ delivering a copy personally to the ☐ defendant's attorney ☒ prosecutor ☒ defendant

☐ depositing a copy enclosed in a postpaid properly addressed wrapper in a post office or official depository under the exclusive care and custody of the U.S. Postal Service directed to the ☐ defendant's attorney ☐ prosecutor ☐ defendant

☐ leaving a copy at the office of the ☐ defendant's attorney with an associate or employee ☐ prosecutor with an associate or employee

Name and title of person with whom copy left
Ken Honeycutt, Dist. Attorney's Office and Guy LeGrande

☒ Service accepted by: ☐ defendant's attorney ☒ prosecutor ☐ defendant

Signature of person accepting service
Ken Honeycutt

Date served December 21, 1995

Signature of moving party
Walter T. Gist Jr.

Title Attorney for the Defendant

ORDER COMMITTING DEFENDANT TO DOROTHEA DIX HOSPITAL

motion questioning the defendant's capacity to proceed having been made and considered, the court finds the defendant's capacity to proceed is in question. The court orders that the defendant be committed to Dorothea Dix Hospital for a period not to exceed sixty (60) days for observation and treatment, pursuant to G.S. -1002, to determine the question of the defendant's capacity to proceed.

The defendant HAS been screened by a certified Forensic Screening Examiner

The defendant HAS NOT been screened by a certified Forensic Screening Examiner

he Director of Dorothea Dix Hospital must direct his report on the defendant's condition to the defense attorney, district attorney, and the Clerk of Superior Court.

he Sheriff of this County shall transfer the defendant to Dorothea Dix Hospital and shall return him when ied by the hospital that the period of observation has been completed.

Court finds, pursuant to N.C.G.S. 15A-1002 b2, that examination Dorthea Dix Hospital by Dr. Rollins would be more opriate than local forensic evaluation

Date: 12/21/95

Signature of Presiding Judge: Sanford L. Steelman Jr.

Name of Judge (Print or type): Sanford L. Steelman, Jr.

s Attorney: CTER T. JOHNSON JR

3-H East Wendover Ave

Zip: ENSBORO, NC 27405

lo. (919) 279-8312

Prosecutor: Kenneth W. Honeycutt

Address: P.O. BOX 1065

City, State, Zip: Monroe, NC 28111

Telephone No.: (704) 289-3340

RETURN OF SERVICE

fy that this Order was received and served as follows:

-21-95

nsporting the defendant to Dorothea Dix Hospital

(specify)

2-26-1995

12-21-95

Name of Sheriff: Joe E Lowder

Deputy Sheriff Making Return: ~~Joe E~~ L.L. Cagle

County: Stanly

District

ATTACHMENT

7

FILED
FEB 9 1996
4:00 P

NORTH CAROLINA DIVISION OF MENTAL HEALTH/DEVELOPMENTAL DISABILITIES/ SUBSTANCE ABUSE SERVICES

Dorothea Dix Hospital
Raleigh, North Carolina

DDH SPR
96-58-73 LEGRANDE, GUY T.
NONE BPM COO 12-21-95
05-28-59 STANLY
CF# 95CRS 567;847;

PLAINTIFF'S EXHIBIT Courts E

FORENSIC PSYCHIATRIC HISTORY AND EVALUATION/LEGAL ASSESSMENT/DISCHARGE SUMMARY AND AFTERCARE PLAN

DATE OF ADMISSION: 12-21-95

DATE OF DISCHARGE:

SENSITIVE INFORMATION
When Requested By Consumer Must Be Shown And/Or Interpreted By A Competent Clinician. Redisclosure Prohibited By Law Without Client Consent.

CORRESPONDENT: Ms. Alice Tyson
141 Arey Avenue
Albemarle, N.C. 28001
Phone: (704) 982-2462

IDENTIFYING DATA: Mr. LeGrande is a 36 year old, African-American, separated man who is referred for evaluation of capacity to proceed on charges of First Degree Murder and Conspiracy to Commit Murder. His attorney is Mr. Walter T. Johnson, Jr., 1113-H E. Wendover Avenue, Greensboro, N.C. 27405. The court order indicates that copies of this report go to the defendant's attorney, District Attorney, and Clerk of Superior Court.

DATA BASIC TO OPINIONS: Opinions expressed in this report are based on interviews with the patient, observation of ward behavior, review of laboratory studies, testing, and the following contacts: Attorney, Family, District Attorney, Jail, Clerk of Court, Sheriff's Department, Probation.

MENTAL STATUS: At the time of admission Mr. LeGrande is cooperative, pleasant, and has normal speech and a normal mood. No suicidal feelings, disorganized thinking, hallucinations, or delusions are noted. Concentration orientation, memory, intellectual functions are intact. In the impression of the admitting physician judgment and insight are good. The admitting physician did not make a diagnosis.

PHYSICAL EXAMINATION: Within normal limits.

ALLERGIES/SENSITIVITIES: No known allergy.

PURIFIED PROTEIN DERIVATIVE STATUS: Negative 12/25/95.

RTH CAROLINA DIVISION OF MENTAL
ALTH/DEVELOPMENTAL DISABILITIES/
BSTANCE ABUSE SERVICES

rothea Dix Hospital
eigh, North Carolina

DDH SPR FOR

96-58-73 LEGRANDE, GUY T.
NONE BPM COO 12-21-95
05-28-59 STANLY
CF# 95CRS 567;847;

BORATORY DATA: Urinalysis, serology, thyroid studies, hematology, hepatitis profile, HIV, blood chemistries are essentially normal except elevation of cholesterol at 307 (normal range 112-200).

CHOLOGICAL TESTING: See attached report.

ST HISTORY: Mr. LeGrande considers himself to be in good health. He is 6 feet tall and weighs 246 pounds. He has had past surgery on elbow and for a stab wound in the chest. Mr. LeGrande has been in jail 325 days. He was born Albemarle and raised in Philadelphia. He is the 4th of 6 siblings. His mother died in 1988 of ukemia and his father age 64, has diabetes. Mr. LeGrande describes his growing up years in sitive terms. He graduated from high school in 1977 and attended college for two years and aracterizes himself as a football star. Mr. LeGrande provides considerable detail about his sitive and successful social activities. He joined the Air Force in 1981 and served 3 years and 8 nths. His job was Aircraft Mechanic. Mr. LeGrande married in 1982. They were together two ars and are presently friends, but separated. Mr. LeGrande worked for the post office for 6 years. 1991 he left the post office and joined his aunt in Albemarle.

. LeGrande indicates that he was arrested for blackmail in 1993 and although he asserts he was t guilty, he received an active sentence. He relates that he is presently charged with first degree urder and asserts that the evidence against him is paid testimony from drug addicts. Mr. LeGrande orts that he was employed at a restaurant with the victim's husband. Mr. LeGrande describes cohol or substance abuse. He believes that his attoiney has not been straight-forward with him. . LeGrande asserts his innocence. He was arrested on the present charges 1-25-95.

. LeGrande's attorney indicates that Mr. LeGrande has demonstrated wide mood swings. Also, an ue is Mr. LeGrande's desire to represent himself in a capital case.

e jail reports a generally satisfactory adjustment with the exception of one episode with another mate.

family member describes Mr. LeGrande in positive terms.

OSPITAL COURSE: Initially, Mr. LeGrande was placed on an 1800 calorie diet but at his request this was switched to a regular diet and later to low cholesterol diet. Mr. LeGrande generally was cheerful, effusive, optimistic, and upbeat. He as eager to talk about his situation and asserted his innocence. Eating, sleeping, personal hygiene, nd interpersonal relationships were satisfactory. Because of Mr. LeGrande's history of mood swings

NORTH CAROLINA DIVISION OF MENTAL HEALTH/DEVELOPMENTAL DISABILITIES/ SUBSTANCE ABUSE SERVICES

Dorothea Dix Hospital
Raleigh, North Carolina

DDH SPR FOR
96-58-73 LEGRANDE, GUY T.
NONE BPM COO 12-21-95
05-28-59 STANLY
CF# 95CRS 567;847;

and his present hypomanic behavior, I suggest the possibility of treatment with Lithium, but Mr. LeGrande declined that treatment. I discussed my opinions with Mr. LeGrande and he was agreeable. Overall, his condition at the time of discharge was essentially unchanged from that at the time of admission.

PRINCIPAL AND PRIMARY DIAGNOSES:

AXIS II PERSONALITY DISORDER NOT OTHERWISE SPECIFIED(MIXED PERSONALITY DISORDER WITH GRANDIOSE, NARCISSISTIC, AND HYPOMANIC TRAITS). 301.9

ADDITIONAL DIAGNOSES:

AXIS I NO DIAGNOSIS. V71.09
AXIS III OBESITY.
HYPERCHOLESTEROLEMIA.

ANALYSIS AND OPINIONS: Mr. LeGrande has narcissistic, grandiose, and hypomanic traits. He is capable of proceeding to trial in that he understands the nature and object of the proceedings against him, understands his position with regards to the law, is able to cooperate with his attorney so that any available defense may be interposed, and can conduct his defense in a rational manner. As I understand it, the test for competency to waive one's attorney is the same as the test for competency to stand trial. It is my opinion that Mr. LeGrande is competent to waive representation by an attorney. I found nothing to suggest that Mr. LeGrande would not be responsible for his actions. Mr. LeGrande asserted his innocence. Available information does not suggest any mitigating factors in the event the case comes to the second phase of capital sentencing.

MEDICATIONS: None.

RECOMMENDATIONS: Although Mr. LeGrande is competent to waive representation by his attorney, he asserts that he is willing to have standby counsel. I advised him in my opinion that it would be in his best interest to have representation by an attorney. It is difficult to assess mitigating factors with a defendant who asserts innocence. It is conceivable that this issue could be explored more extensively if Mr. LeGrande had confidence in the evaluator and was assured of the confidentiality of that evaluation. At some future time Mr LeGrande should be on a weight reduction program. For the present, he should continue on a low cholesterol diet with subsequent reevaluation of cholesterol. I believe that a trial of treatment with Lithium for hypomania is indicated, but Mr. LeGrande rejects that recommendation.

NORTH CAROLINA DIVISION OF MENTAL
HEALTH/DEVELOPMENTAL DISABILITIES/
SUBSTANCE ABUSE SERVICES

Dorothea Dix Hospital
Raleigh, North Carolina

DDH	SPR	FOR
96-58-73	LEGRANDE, GUY T.	
NONE BPM	COO 12-21-95	
05-28-59	STANLY	
CF# 95CRS 567;847;		

R Rollins MD

Robert Rollins, M.D., Director
Forensic Psychiatry Division
(919) 733-9142

RR:phc 1/10/96
c: Presiding Judge, Defense Attorney, District Attorney

TH CAROLINA DIVISION OF MENTAL LTH/DEVELOPMENTAL DISABILITIES/ STANCE ABUSE SERVICES

othea Dix Hospital
eigh, North Carolina

DDH 96-58-73 NONE BMP 05-28-59
SPR LeGRANDE, GUY T. COO 12-21-95 STANLY
FOR

CHOLOGICAL ASSESSMENT

e Requested: December 22, 1995

erred by: Dr. Rollins to Psychology

erral Question: Rule out personality disorder through Incomplete tences, H-T-P, and MMPI.

e of Evaluation: 12/27/95;01/02/96 Date of Report: 01/04/96

TS ADMINISTERED

jective Drawings
nesota Multiphasic Personality Inventory (MMPI)
omplete Sentence Blank
erview

Mr. Guy LeGrande is a 36 year old African-American male charged with st degree murder and conspiracy to commit murder. He was referred for a sonality assessment (Incomplete Sentences, Draw a House-Tree-Person, and nesota Multiphasic Personality Inventory).

Mr. LeGrande was friendly and cooperative with the assessment cedures. He was extremely verbal and tended to take a circuitous route ling a story before finally coming to his point. However, when he was cifically provided with structure, he was able to answer questions in a e direct fashion. He presented as a person with a grandiose sense of f-worth, especially in regards to his ability to charm women. He told erous stories of manipulating people, including shady business deals, ckmail, playing dumb to his lawyers, and setting toilet paper on fire to out of the Union County jail. He had a somewhat cheerfully-accepting ical view of the world and had a tendency to believe that antisocial aviors are the norm. For example, when asked if he had ever committed dalism or shoplifted, he replied, "Every child might steal a candy bar," d regarding his use of marijuana, he stated, "We all smoked it." He said at he was basically a good-natured person who was rarely violent, although reported that in the past he has gotten into fights and has hit his loved es at times. He also reported that he had been charged with rape in the st, but said it was more a matter of not paying a prostitute. He said that had been with the prostitute for seven hours, during which time she ate d drank his food, and that he "thought it was for free by then."

ITH CAROLINA DIVISION OF MENTAL
ALTH/DEVELOPMENTAL DISABILITIES/
BSTANCE ABUSE SERVICES

rothea Dix Hospital
leigh, North Carolina

DDH 96-58-73 NONE BMP 05-28-59
SPR LeGRANDE, GUY T. COO 12-21-95 STANLY
FOR

rsonality Assessment

Incomplete Sentences: Mr. LeGrande's responses to the Incomplete ntences indicated an optimistic view of his ability to overcome adversity d a strong sense of self-worth. He expressed some concern about the state the world, especially in regards to racial prejudice, and he expressed slike of "cowardly" behavior and "blacks [who] still have subservient ntalities."

Draw-A-House-Tree-Person: Mr. LeGrande's drawings were quickly rendered th little attention to detail. His people were faceless and had very small ists. His woman figure was drawn incompletely, without hands, lower limbs, a face.

MMPI Results: Mr. LeGrande completed the MMPI on December 28, 1995. s MMPI was considered valid. His responses to the MMPI indicated that Mr. Grande may be nonconforming and that his behavior might be seen as erratic d unpredictable. He likely has problems with impulse control, and he has a ndency to be an underachiever. He is likely to accept little sponsibility for his behavior and may try to manipulate other people into tisfying his needs. He is outgoing, socially extroverted, and enjoys being e center of attention. He most likely has exaggerated needs of attention d affection, which may lead to promiscuity. His responses also indicated at he may have problems with authority and that he may harbor suspicions out the motives of other people.

mmary

Mr. LeGrande did not appear to have a serious mental disorder, such as hizophrenia or bipolar disorder. Although at times he appeared hypomanic, seemed to be able to control his behavior when he so desired. Mr.

Grande also demonstrated characteristics of a personality disorder with tisocial and narcissistic features.

Tricia Hahn

Tricia Hahn, M.A.
Examiner

E Silverstein PhD

Elliot Silverstein, Ph.D.
Clinical Psychologist

I:dd
1: 01/04/96 (9:00 a.m.)
:: 01/04/96 (9:25 a.m.)

ATTACHMENT

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File No.

STATE OF NORTH CAROLINA

Stanley County

In The General Court Of Justice

☐ District ☒ Superior Court Division

STATE VERSUS

Defendant

Amy Jobeas LeGrande

WAIVER OF COUNSEL

G.S. 7A-457;15A-1242

ACKNOWLEDGMENT OF RIGHTS AND WAIVER

As the undersigned party in this action, I freely and voluntarily declare that I have been fully informed of the charges against me, the nature of and the statutory punishment for each such charge, and the nature of the proceedings against me; that I have been advised of my right to have counsel assigned to assist me and my right to have the assistance of counsel in defending against these charges or in handling these proceedings, and that I fully understand and appreciate the consequences of my decision to waive the right to assigned counsel and the right to assistance of counsel.

I freely, voluntarily and knowingly declare that:

(check only one)

1. ☒ I waive my right to assigned counsel and that I, hereby, expressly waive that right.

2. ☐ I waive my right to all assistance of counsel which includes my right to assigned counsel and my right to the assistance of counsel. In all respects, I desire to appear in my own behalf, which I understand I have the right to do.

SWORN AND SUBSCRIBED TO BEFORE ME	Signature Of Defendant
Date: 4-25-96	X Amy T. LeGrande
Signature: Brenda A. Holt	
☐ Deputy CSC ☒ Assistant CSC ☐ Clerk of Superior Court	

CERTIFICATE OF JUDGE

I certify that the above named person has been fully informed in open court of the charges against him, the nature of and the statutory punishment for each charge, and the nature of the proceeding against him and his right to have counsel assigned by the court and his right to have the assistance of counsel to represent him in this action; that he comprehends the nature of the charges and proceedings and the range of punishments; that he understands and appreciates the consequences of his decision and that he has voluntarily, knowingly and intelligently elected in open court to be tried in this action:

(check only one)

1. ☒ without the assignment of counsel.

2. ☐ without the assistance of counsel, which includes the right to assigned counsel and the right to assistance of counsel.

Note: For a waiver of assigned counsel only, both blocks numbered "1" must be checked. For a waiver of all assistance of counsel, both blocks numbered "2" must be checked.	Date: 4-25-96
	Signature of Judge:

AOC-CR-227, Rev. 1/86

ATTACHMENT

9

STATE OF NORTH CAROLINA
COUNTY OF STANLY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
CASE NO. 95 CRS 567

STATE OF NORTH CAROLINA)

VS.) VERDICT

GUY TOBIAS LEGRANDE,)

We, the Jury, unanimously find the defendant GUY TOBIAS LEGRANDE:

1. Guilty of First Degree Murder
   Answer: Yes

If your answer is "yes", you MUST answer BOTH A and B below. Write in yes or no in the space provided.

A. On the basis of malice, premeditation and deliberation?

   Answer: Yes

B. On the basis of lying in wait?

   Answer: Yes

2. Not Guilty.

   Answer: _____

William C. [illegible]
Signature of Jury Foreperson

This the 25th day of April, 1996

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STATE OF NORTH CAROLINA
COUNTY OF STANLY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
CASE NO. 95 CRS 847

STATE OF NORTH CAROLINA)

VS.)

GUY TOBIAS LEGRANDE,)
Defendant.

VERDICT

We, the Jury, unanimously find the defendant GUY TOBIAS LEGRANDE:

X Guilty of Conspiracy to Commit Murder

-or-

_____ Not guilty.

William C. Phillips
Signature of Foreperson

This the 25th day of April, 1996

STATE OF NORTH CAROLINA	IN THE GENERAL COURT OF JUSTICE
COUNTY OF STANLY	SUPERIOR COURT DIVISION
	CASE NO. 95 CRS 567
STATE OF NORTH CAROLINA)	
Plaintiff,)	
vs.)	ISSUES AND RECOMMENDATION
GUY TOBIAS LEGRANDE)	AS TO PUNISHMENT
Defendant.)	

ISSUE ONE:

Do you unanimously find from the evidence beyond a reasonable doubt the existence of the following aggravating circumstance?

ANSWER: Yes.

BEFORE YOU ANSWER ISSUE ONE, CONSIDER THE FOLLOWING AGGRAVATING CIRCUMSTANCE. IN THE SPACE AFTER THE AGGRAVATING CIRCUMSTANCE WRITE "YES" IF YOU UNANIMOUSLY FIND THAT AGGRAVATING CIRCUMSTANCE FROM THE EVIDENCE BEYOND A REASONABLE DOUBT. WRITE "NO" IF YOU DO NOT UNANIMOUSLY FIND THAT AGGRAVATING CIRCUMSTANCE FROM THE EVIDENCE BEYOND A REASONABLE DOUBT. IF YOU WRITE "YES" IN THE SPACE AFTER THE FOLLOWING AGGRAVATING CIRCUMSTANCE, WRITE "YES" IN THE SPACE AFTER ISSUE ONE AS WELL. IF YOU WRITE "NO" IN THE SPACE AFTER THE FOLLOWING AGGRAVATING CIRCUMSTANCE, WRITE "NO" IN THE SPACE AFTER ISSUE ONE.

(1) Was the murder committed for pecuniary gain?

ANSWER: Yes

IF YOU ANSWERED ISSUE ONE "NO", SKIP ISSUES TWO, THREE AND FOUR, AND INDICATE LIFE IMPRISONMENT UNDER :"RECOMMENDATION AS TO PUNISHMENT" ON THE LAST PAGE OF THIS FORM. IF YOU ANSWERED ISSUE ONE "YES", PROCEED TO ISSUE TWO.

ISSUE TWO:

Do you find from the evidence the existence of one or more of the following mitigating circumstances?

ANSWER: Yes

BEFORE YOU ANSWER ISSUE TWO, CONSIDER EACH OF THE FOLLOWING MITIGATING CIRCUMSTANCES. IN THE SPACE AFTER EACH MITIGATING CIRCUMSTANCE, WRITE "YES" IF ONE OR MORE OF YOU FINDS THAT MITIGATING CIRCUMSTANCE BY A PREPONDERANCE OF THE EVIDENCE. WRITE "NO" IF NONE OF YOU FINDS THAT MITIGATING CIRCUMSTANCE.

IF YOU WRITE "YES" IN ONE OR MORE OF THE FOLLOWING SPACES, WRITE "YES" IN THE SPACE AFTER ISSUE TWO AS WELL. IF YOU WRITE "NO" IN ALL OF THE SPACES AFTER THE FOLLOWING MITIGATING CIRCUMSTANCES, WRITE "NO" IN THE SPACE AFTER ISSUE TWO.

(1) The defendant has no significant history of prior criminal activity.

ANSWER: Yes one or more of us finds this mitigating circumstance to exist.

(2) The defendant has been a good person.

ANSWER: NO one or more of us finds this mitigating circumstance to exist.

(3) The defendant graduated from high school at the top of the class.

ANSWER: NO one or more of us finds this mitigating circumstance to exist.

(4) The defendant was an outstanding football player.

ANSWER: NO one or more of us finds this mitigating circumstance to exist.

(5) The defendant served four years in the Air Force.

ANSWER: NO one or more of us finds this mitigating circumstance to exist.

(6) The defendant was a special education major at Cheyney University.

ANSWER: NO one or more of us find this mitigating circumstance to exist.

(7) Any other circumstance or circumstances arising from the evidence which one or more of you deems to have mitigating value.

ANSWER: NO one or more of us finds this mitigating circumstance to exist.

ANSWER ISSUE THREE IF YOU ANSWERED ISSUE TWO, "YES". IF YOU ANSWERED ISSUE TWO "NO", SKIP ISSUE THREE AND ANSWER ISSUE FOUR.

ISSUE THREE:

Do you unanimously find beyond a reasonable doubt that the mitigating circumstance or circumstances found is, or are, insufficient to outweigh the aggravating circumstance found?

ANSWER: yes

IF YOU ANSWERED ISSUE THREE "YES", PROCEED TO ISSUE FOUR. IF YOU ANSWERED ISSUE THREE "NO", INDICATE LIFE IMPRISONMENT UNDER "RECOMMENDATION AS TO PUNISHMENT".

ISSUE FOUR:

Do you unanimously find beyond a reasonable doubt that the aggravating circumstance you found is sufficiently substantial to call for the imposition of the death penalty when considered with the mitigating circumstance or circumstances found by one or more of you?

ANSWER: yes

IF YOU ANSWERED ISSUE FOUR 'YES', INDICATE DEATH UNDER 'RECOMMENDATION AS TO PUNISHMENT'. IF YOU ANSWERED ISSUE FOUR 'NO', INDICATE LIFE IMPRISONMENT UNDER 'RECOMMENDATION AS TO PUNISHMENT".

RECOMMENDATION AS TO PUNISHMENT

INDICATE YOUR RECOMMENDATION AS TO PUNISHMENT BY WRITING "DEATH" OR "LIFE IMPRISONMENT" IN THE BLANK IN THE FOLLOWING SENTENCE:

We, the jury, unanimously recommend that the defendant, Guy Tobias LeGrande, be sentenced to :

DEATH.

This the 26th day of April, 1996.

William C. Phillips
Signature of Foreperson of Jury

William C. Phillips
Printed Name of Foreperson of the Jury

STATE OF NORTH CAROLINA

File No. 95-CRS-567

Stanly County Albemarle Seat Of Court

In The General Court Of Justice
☐ District ☒ Superior Court Division

NOTE: *(This form is not to be used for offense(s) occurring on or after October 1, 1994. This form is not to be used for multiple offenses unless they are consolidated for judgment.)*

STATE VERSUS

Defendant: Guy Tobias Legrande

JUDGMENT AND COMMITMENT

G.S. 15A-1301

Race	Sex	DOB	Pre-FSA
B	M	5-28-59	☐ Felony

Attorney For State	Def. Found / Def. Waived	Attorney For Defendant
Honeycutt/Graham	☐ Not Indigent ☒ Attorney	☐ Appointed ☐ Retained

DWI	Level Of Punishment (G.S. 20-179)	Drivers License No. (DWI Only)	State (DWI Only)
☐ Offense			

The defendant ☐ pled guilty to: ☐ was found guilty by the Court of: ☒ was found guilty by a jury of: ☐ pled no contest to:

File No.(s) And Offense(s)	Date Of Offense	G.S. No.	Fel./M.	Class	Max. Term	Presumptive
95-CRS-567 First Degree Murder	7-27-93	14-17	F	A	Death/Life	

The Court, having considered evidence, arguments of counsel and statement of defendant, finds that the defendant's plea was freely, voluntarily, and understandingly entered, and Orders the above offenses be consolidated for judgment and the defendant be imprisoned

for a term of Death

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

The defendant shall be given credit for 457 days spent in confinement prior to the date of this Judgment as a result of this charge.

☐ The sentence imposed above shall begin at the expiration of all sentences which the defendant is presently obligated to serve.

☐ The sentence imposed above shall begin at the expiration of the sentence imposed in the case referenced below:
(NOTE: *List the Case Number, Date, County And Court In Which Prior Sentence Imposed.)*

(check all that apply)

☐ The defendant shall serve as a committed youthful offender pursuant to G.S. Chapter 148, Article 3B.

☐ The defendant should not obtain the benefit of release pursuant to G.S. 148-49.15.

☐ The defendant shall pay the costs.

☐ The defendant shall pay a fine of $ _____

☐ Immediate work release is recommended pursuant to G.S. 148-33.1. ☐ Work release is recommended. ☐ Work release is not recommended.

☐ With the consent of the defendant, work release is ordered under the conditions set forth in the attached order *(applies to misdemeanants only)*.

☐ The Court does not recommend that the defendant be required to pay restitution or reparation, as a condition of parole if parole is granted, or from his earnings if work release is granted.

☐ The Court recommends that the defendant be required to pay, as a condition of parole if parole is granted, or from his earnings if work release is granted, the items and amounts set out below.

Fine	Costs	Restitution	Reimbursement For Attorney Fee(s) And Other Expenses	Total Amount Due
$	$	$	$	$

Name(s), address(es), amount(s) & social security number(s) of aggrieved party(ies) to receive restitution:

Material opposite unmarked squares is to be disregarded as surplusage.

The Court further recommends:

FOR USE WITH FAIR SENTENCING ACT FELONIES ONLY

1. 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 does not require such findings.
   - ☐ 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 written findings set forth on the attached Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303).

(Applicable for offense(s) occurring on or after May 1, 1994.)

2. The Court finds that the prison term imposed is:
   - ☐ (a) for an enhanced firearm penalty [G.S. 14-2.2(a)].
   - ☐ (b) for an adjudication as a violent habitual felon. [G.S. 14-7.12].

AWARD OF FEE TO COUNSEL FOR DEFENDANT

☐ A hearing was held in open court in the presence of the defendant at which time a fee, including expenses, was awarded the defendant's appointed counsel or assigned public defender.

ORDER OF COMMITMENT

It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until he shall have complied with the conditions of release pending appeal.

Date	*Name Of Presiding Judge (Type Or Print)*	*Signature Of Presiding Judge*
4-26-96	William H. Helms	

APPEAL ENTRIES

☐ The defendant gives notice of appeal from the judgment of the District Court to the Superior Court. The current pretrial release order is modified as follows:

☒ The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on Form AOC-CR-350.

Date	*Name Of Presiding Judge (Type Or Print)*	*Signature Of Presiding Judge*
4-26-96	William H. Helms	

ORDER OF COMMITMENT AFTER APPEAL

Date Remanded To District Court	*Date Appeal Dismissed*	*Date Withdrawal Of Appeal Filed*	*Date Appellate Opinion Certified*

It is ORDERED that this Judgment be executed. It is FURTHER ORDERED that the sheriff arrest the defendant, if necessary, and recommit the defendant to the custody of the official named in this Judgment and furnish that official two certified copies of this Judgment and Commitment as authority for the commitment and detention of the defendant.

Date	*Signature Of Clerk*
	☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

CERTIFICATION

I certify that this Judgment and Commitment with the attachment marked below is a true and complete copy of the original which is on file in this case.

- ☒ Appeal Entries (AOC-CR-350)
- ☐ Findings Of Factors In Aggravation And Mitigation Of Punishment (AOC-CR-303)
- ☐ Determination Of Sentencing Factors In DWI Cases (AOC-CR-311)
- ☐ Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317)
- ☐ Commitment Information Statement (DC-600)

Date	*Signature And Seal*
4-26-96	
Date Certified Copies Delivered To Sheriff 4-26-96	☒ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

Material opposite unmarked squares is to be disregarded as surplusage.

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STATE OF NORTH CAROLINA

File No. 95-CRS-847

Stanly County Albemarle Seat Of Court

In The General Court Of Justice ☐ District ☒ Superior Court Division

NOTE: *(This form is not to be used for offense(s) occurring on or after October 1, 1994. This form is not to be used for multiple offenses unless they are consolidated for judgment.)*

STATE VERSUS

Defendant: Guy Tobias Legrande

JUDGMENT AND COMMITMENT

G.S. 15A-1301

Race	Sex	DOB	Pre-FSA
B	M	5-28-59	☐ Felony

Attorney For State	Def. Found	Def. Waived	Attorney For Defendant
Honeycutt/Graham	☐ Not Indigent	☒ Attorney	☐ Appointed ☐ Retained

DWI ☐ Offense	Level Of Punishment (G.S. 20-179)	Drivers License No. (DWI Only)	State (DWI Only)

The defendant ☐ pled guilty to: ☐ was found guilty by the Court of: ☒ was found guilty by a jury of: ☐ pled no contest to:

File No.(s) And Offense(s)	Date Of Offense	G.S. No.	Fel./M.	Class	Max. Term	Presumptive
95-CRS-847 Conspiracy to Commit Murder	7-29-93	14-18.1	F	E	30 yrs	9 yrs

The Court, having considered evidence, arguments of counsel and statement of defendant, finds that the defendant's plea was freely, voluntarily, and understandingly entered, and Orders the above offenses be consolidated for judgment and the defendant be imprisoned

for a term of 9 yrs

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

The defendant shall be given credit for _____ days spent in confinement prior to the date of this Judgment as a result of this charge.

☐ The sentence imposed above shall begin at the expiration of all sentences which the defendant is presently obligated to serve.

☒ The sentence imposed above shall begin at the expiration of the sentence imposed in the case referenced below:
(NOTE: *List the Case Number, Date, County And Court In Which Prior Sentence Imposed.*)

95-CRS-567, 4-26-96, Stanly County Superior Criminal Court

(check all that apply)

☐ The defendant shall serve as a committed youthful offender pursuant to G.S. Chapter 148, Article 3B.

☐ The defendant should not obtain the benefit of release pursuant to G.S. 148-49.15.

☐ The defendant shall pay the costs.

☐ The defendant shall pay a fine of $ _____

☐ Immediate work release is recommended pursuant to G.S. 148-33.1. ☐ Work release is recommended. ☐ Work release is not recommended.

☐ With the consent of the defendant, work release is ordered under the conditions set forth in the attached order *(applies to misdemeanants only)*.

☐ The Court does not recommend that the defendant be required to pay restitution or reparation, as a condition of parole if parole is granted, or from his earnings if work release is granted.

☐ The Court recommends that the defendant be required to pay, as a condition of parole if parole is granted, or from his earnings if work release is granted, the items and amounts set out below.

Fine	Costs	Restitution	Reimbursement For Attorney Fee(s) And Other Expenses	Total Amount Due
$	$	$	$	$

Name(s), address(es), amount(s) & social security number(s) of aggrieved party(ies) to receive restitution:

Material opposite unmarked squares is to be disregarded as surplusage.

The Court further recommends: 249

FOR USE WITH FAIR SENTENCING ACT FELONIES ONLY

1. 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 does not require such findings.
   - ☐ 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 written findings set forth on the attached Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303).

(Applicable for offense(s) occurring on or after May 1, 1994.)

2. The Court finds that the prison term imposed is:
   - ☐ (a) for an enhanced firearm penalty [G.S. 14-2.2(a)].
   - ☐ (b) for an adjudication as a violent habitual felon. [G.S. 14-7.12].

AWARD OF FEE TO COUNSEL FOR DEFENDANT

☐ A hearing was held in open court in the presence of the defendant at which time a fee, including expenses, was awarded the defendant's appointed counsel or assigned public defender.

ORDER OF COMMITMENT

It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until he shall have complied with the conditions of release pending appeal.

Date	*Name Of Presiding Judge (Type Or Print)*	*Signature Of Presiding Judge*
4-26-96	William H. Helms	

APPEAL ENTRIES

☐ The defendant gives notice of appeal from the judgment of the District Court to the Superior Court. The current pretrial release order is modified as follows:

☒ The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on Form AOC-CR-350.

Date	*Name Of Presiding Judge (Type Or Print)*	*Signature Of Presiding Judge*
4-26-96	William H. Helms	

ORDER OF COMMITMENT AFTER APPEAL

Date Remanded To District Court	*Date Appeal Dismissed*	*Date Withdrawal Of Appeal Filed*	*Date Appellate Opinion Certified*

It is ORDERED that this Judgment be executed. It is FURTHER ORDERED that the sheriff arrest the defendant, if necessary, and recommit the defendant to the custody of the official named in this Judgment and furnish that official two certified copies of this Judgment and Commitment as authority for the commitment and detention of the defendant.

Date	*Signature Of Clerk*
	☐ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

CERTIFICATION

I certify that this Judgment and Commitment with the attachment marked below is a true and complete copy of the original which is on file in this case.

- ☒ Appeal Entries (AOC-CR-350)
- ☐ Findings Of Factors In Aggravation And Mitigation Of Punishment (AOC-CR-303)
- ☐ Determination Of Sentencing Factors In DWI Cases (AOC-CR-311)
- ☐ Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317)
- ☐ Commitment Information Statement (DC-600)

Date	*Signature And Seal*
4-26-96	Lynne Lawrence
Date Certified Copies Delivered To Sheriff 4-26-96	☒ *Deputy CSC* ☐ *Assistant CSC* ☐ *Clerk Of Superior Court*

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FILED

1996 APR 26 PM 5:17

STANLY COUNTY C.S.C.

BY _____

STATE OF NORTH CAROLINA

COUNTY OF STANLY

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

FILE #95 CRS 567

STATE OF NORTH CAROLINA)
)
VS)
)
GUY TOBIAS LEGRANDE,)
Defendant)

The prisoner, Guy Tobias Legrande, having been convicted of murder in the first degree by unanimous verdict of the Jury duly returned at the term of the Superior Court of Stanly County, North Carolina, and the Jury having unanimously recommended the punishment of death.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the same Guy Tobias LeGrande be, and he is hereby sentenced to death and the Sheriff of Stanly County, North Carolina, in whose custody the said defendant now is, shall forthwith deliver said prisoner, Guy Tobias LeGrande, to the Warden of the State's Penitentiary at Raleigh, North Carolina, who the said Warden, on the 28th day of June, 1996, shall cause the said prisoner, Guy Tobias LeGrande, to be put to death as by law provided.

May God have mercy on his soul.

This the 26th day of April, 1996.

WILLIAM H. HELMS
JUDGE PRESIDING

ATTACHMENT

10

STATE OF NORTH CAROLINA

File No.

STANLY County

In The General Court Of Justice
☐ District ☐ Superior Court Division

Defendant, Petitioner, Respondent	ORDER OF ASSIGNMENT OR DENIAL OF COUNSEL
Guy T. LeGrand	G.S. 7A-450, 7A-451(a)

Offense(s) (List Offense(s) Only If File No. Has Not Been Assigned)

From the petition heard in this matter, it appears to the Court that the applicant named above is party to a proceeding or action listed in G.S. 7A-451(a);

and, from the affidavit made by the applicant, and from the inquiry made by the Court, which is documented in the record, it is determined that the applicant:

☐ is not likely to be imprisoned if he is convicted of the offense(s) for which he is charged; it is ORDERED that the defendant's petition is denied.

☐ is not likely to be imprisoned if he is found in contempt; it is ORDERED that the defendant's petition is denied.

☐ is financially able to provide the necessary expenses of legal representation; it is ORDERED that the applicant is not an indigent and his petition is denied.

☑ is **not** financially able to provide the necessary expenses of legal representation; it is ORDERED that the applicant is an indigent and is entitled to the services of counsel as contemplated by law, and that he shall be represented by:

☑ the attorney named below. ☐ the public defender in this judicial district.

Name Of Appointed Attorney (If Applicable)	Date
Sam Hopkins ~~Edward~~ E. H. Morton, Jr.	January 30, 1995 Signature ☐ Judge ☐ Clerk Of Superior Court

AOC-CR-224
Rev. 3/94

Material opposite unmarked squares is to be disregarded as surplusage.

NOTICE TO PERSONS REQUESTING A COURT-APPOINTED LAWYER:

When answering the questions on the Affidavit Of Indigency (reverse side of this form), please do not discuss your case with the interviewer. The interviewer can be called as a witness to testify about any statements made in his presence. Please wait and speak with your lawyer. Do not ask the interviewer for any advice or opinion concerning your case.

A court-appointed lawyer is not free. If you are convicted or plead guilty, you may be required to repay the cost of your lawyer, as a part of your sentence. The Court may also enter a civil judgment against you. Your North Carolina State Tax Refund may be garnished to pay for the cost of your court- appointed lawyer.

The information you provide may be verified, and your signature below will serve as a release permitting the interviewer to contact your creditors, employers, family members, and others concerning your eligibility for a court-appointed lawyer. A false or dishonest answer concerning your financial status could lead to prosecution for perjury.

ıder penalty of perjury, I declare that the information provided on this form is true and correct to the best of my knowledge, ıd that I am financially unable to employ a lawyer to represent me. I now request the Court to assign a lawyer to represent ə in this case. I authorize the Court to contact my creditors, employers, or family members, any governmental agencies or ıy other entities listed below concerning my eligibility for a court-appointed lawyer.

ırther authorize my creditors, employers, or family members, any governmental agencies or any other entitites listed below release financial information concerning my eligibility for a court-appointed lawyer upon request of the Court.

rnmental Agencies Or Other Entities Authorized To Be Contacted And/Or To Release Information

VORN AND SUBSCRIBED TO BEFORE ME	
1-30-95	*Date* 1-30-95
ıre Nanda A. Hall	*Signature of Applicant* X Craig T. LeBlanc
puty CSC ☒ *Assistant CSC* ☐ *Notary* *rk Of Superior Court* ☐ *Magistrate*	☑ *Defendant* ☐ *Parent/Guardian/Trustee* ☐

TE: If you are less than 18 years old, or if you are at least 18 years old but remain dependent on and live with a parent or guardian, state name and address of parent, guardian or trustee below.

Name Of Parent/Guardian Or Trustee
Address
City, State, Zip