

Cleveland County Jury sends Drug Dealer to Prison for 40+ Years!!! Shelby Star reports 4 drug overdose deaths in two days!!! Report, arguendo and conclusions by Robert A. Williams

The **Sixth Amendment** guarantees the rights of criminal defendants, including the right to a public trial without unnecessary delay, the right to a lawyer, the right to an impartial jury, and the right to know who your accusers are and the nature of the charges and evidence against you.

The **Seventh Amendment** to the United States Constitution is part of the Bill of Rights. This amendment **codifies the right to a jury trial** in certain civil cases and inhibits courts (Judges) from overturning a jury's findings of fact.

As you can see, a trial by JURY is the basic underpinning of our judicial system in the United States of America. For both Criminal and Civil cases. Of course, you remember that both North Carolina and Cleveland County are within the United States of America.

Sometimes local Judges and lawyers seem to forget that simple fact.

But not last week, the week of October 4th, 2021!!! A Cleveland County Jury, after five days of a Felony Superior Court trial found an accused Drug Dealer guilty on all charges, two counts of possessing large quantities of Crystal

Meth, possessing a firearm by a felon and miscellaneous other charges. When you add up the minimum sentences for each offense, the total is a little over 40 YEARS. The defendant's attorney, Daniel Talbert, requested all the charges run concurrently (at the same time) but the out of town judge rejected that request with the comment, "It is no telling how many lives this defendant has ruined with the drugs he sold them. This defendant also has a previous conviction for manufacturing crystal meth. It doesn't appear to me that he is going to change his profession." The now convicted drug dealer is 47 years-old and this 49+ year sentence may turn out to be a life sentence for him. But, like this smart out of town judge said, "it is no telling how many lives this defendant has ruined." And, perhaps as a recent article in the Shelby Star noted, there has been "four overdose deaths in two days." Nobody knows if any of the past drug related deaths in Cleveland County were at the hands of this particular twice convicted drug dealer.

Editor's Note: As of the date of this article's publication, the Shelby Star has NOT reported on this major Drug Conviction story.

This is the story as told directly to me this past Saturday by an actual member of the jury that convicted this particular drug dealer, whose name is NOT important to this article.

First of all, the arrests associated with this trial occurred about 18 months ago. There were two women and two men arrested involving a "drug run" down to Atlanta to pick up the big load of Crystal Meth and perhaps other drugs.

This "drug run" was one of many coming into Cleveland County. About two a week for a long time. No evidence was presented on whether or not the drugs were being smuggled in from the now "porous" Southern Border of the US with Mexico. Since the "Ringleader" of this arrest had a previous conviction of manufacturing Crystal Meth, you have to assume that he knew

how to make the stuff, but figured it was safer to just hook into the drug trade coming across the border. It would come out later that the Cleveland County Sheriff's Department made every effort to cooperate with the interstate and national drug enforcement people to also catch the folks down at Atlanta and "pull the thread" of that set of drug traffickers as far back as possible.

As is usually the case in catching drug dealers, somebody gets caught for something, somewhere and offers to tell on others so they can cut a deal with the District Attorney for themselves. The problem with that is most people sitting on a jury, and rightly so, have to consider that the "snitch" may be telling lies on somebody else just to save their own asses from some hard time in prison. According to the Jury Member who told me about this trial ((in the Courtroom and also inside the Jury Room during deliberations), this will play a part in this trial also. This was a sophisticated "drug run" and just as sophisticated arrest, prosecution and Defense Lawyer's trickery. There were some major mistakes made that could have caused an acquittal. So, everybody (including the Sheriff and District Attorney), pay attention.

The Ringleader and his accomplice (the unbeknown Snitch who had tipped off the Cleveland County Sheriff's Office) loaded up in their vehicle and head off toward Atlanta. They pick up their large amounts of Crystal Meth and head back toward North Carolina. Undercover agents using unmarked cars and police radios monitor their movements coming and going.

On the way back and just inside the South Carolina line they pull off I-85 to a location where another car with two women are waiting. One of the women gets into the car with the Ringleader. The Snitch gets into the car with the other woman and both cars get back onto Highway I-85 North headed toward North Carolina.

Law Enforcement in Cleveland County gets the message that

there are two cars heading their way and make adjustments as necessary to stop both cars. Which they do, just West of Kings Mountain near the Exit to the Catawba Casino, under the guise of some alleged traffic offenses.

Folks, if you remember, this short stretch of I-85 in Cleveland County has been the scene of a number of drug and drug related traffic stops and arrests. Including when the \$3 Million in "Drug" cash was discovered in a trailer load of frozen pork. Causing the Cleveland County School Board to falsely sue Sheriff Alan Norman for that \$3 Million. A lawsuit that was quickly laughed out of court and caused Cleveland County Schools much embarrassment.

Anyway, back to this episode.

The verbal exchange between the Law Enforcement Officers and the occupants of the two cars lead to the officers searching the cars and finding guns and two large packages of drugs. Other smaller amounts of drugs were found on the Snitch and the girls. The Ringleader didn't say much to the officers and was mostly uncooperative. All four were arrested and charged with various crimes.

The Snitch and the two women end up cutting plea-bargain deals with the District Attorney's Office for lesser prison sentences and fines contingent on them testifying against the Ringleader. The Ringleader refused to cooperate, and asked for an Attorney. Attorney Daniel Talbert was appointed to represent the Ringleader.

Now, 18 months later, the Ringleader's case comes to trial. The Ringleader was also offered plea-bargain deals contingent on him cooperating with interstate and perhaps international drug enforcement agencies. Perhaps, upon Attorney Talbert's advice, the Ringleader declined to accept any plea-bargain agreements and the trial was to proceed.

The Ringleader's trial began 18 months later, on October 4,

2021 and would take the whole week. Many law enforcement persons testified. Some, who took and kept notes fared well on the witness stand. Some, who didn't take and keep notes, couldn't remember some of the many details and often testified "I don't remember" under cross examination by defense attorney Daniel Talbert. My source on the jury indicated that this "I don't remember" answer triggered a "Fifth Amendment" type mental theory with some of the jury members regarding possible criminal acts by the officers during the arrest process. The takeaway from this should be that the DA's office should go for more speedy trials and officers should be required to take and keep notes regarding important felony arrests. It is very likely that Attorney Daniel Talbert dragged out the time between the arrest and the trial, just for this type confusion factor. To confuse the jury on what really happened in order to get a jury to believe there was "reasonable doubt" enough to convince the jury to acquit.

Editor's Note: I have personally "Court-Watched" and seen Attorney Talbert do this very thing to newly elected Judge Jamie Hodges. Talbert successfully convinced Judge Hodges to grant a frivolous Motion to Dismiss in the case of Mr. Willie Green's lawsuit against Stacy Heavner regarding an illegal action by the City of Shelby. That will be described further in a separate article. In this case, the Jury did not fall for such lawyer "tricks" by Attorney Talbert as Judge Hodges did in that particular case. I have always supported having more Jury Trials, and the results of the Jury putting a major Drug Dealer in prison for 40 years was justice at its best. Although tragic for the Drug Dealer Ringleader who didn't learn his lesson the first time in court.

Also, during the trial, the Snitch and the two women testified against the Ringleader. All three of those who testified against the Ringleader had accepted plea-bargain deals. All three of those who testified against the Ringleader had miscellaneous serious charges against them initially, that

were reduced in exchange for their testimony. All three of them spent some time in prison. The two women, who were strung-out on drugs and "skinny" due to malnourishment, when arrested, had recovered to the point that pictures taken before and after were almost unbelievable to the jury.

The evidence against the ringleader was a pistol that was found under his seat in the car and two bags of "drugs." One bag was tested by the crime lab and contained almost 1,000 grams of Crystal Meth. Over two times the amount that carried the maximum sentence. A second bag, allegedly of the same illegal drug was also entered into evidence, but was a bit different in color than the first bag. This second bag of a slightly different color was NOT tested in the crime lab. A vital fact that Attorney Daniel Talbert hammered home to the Jury.

This greatly concerned the jury as it should have. To the point that the first vote of the jury was 11 guilty and 1 not guilty. The not-guilty vote was from a woman (of four women on the jury) who did not want to send a person to prison for a likely life sentence (the Ringleader was 47 years old and the minimum sentences he was charged with totaled over 40 years) when the prosecution's case was based on testimony that was "paid-for" by plea-bargained testimony, a number of officers who didn't remember critical details of the arrest and evidence that had NOT been tested in the crime lab.

However, the other 11 jurors who voted to convict laid out their reasons for their vote. The possession of the gun by a felon was a no-brainer for the Ringleader. There was a total of four firearms in the two cars, however, the guns were not reported as stolen. So, that was minor charges for the other three that had been plea-bargained away. It was a different story for the Ringleader, who had NOT accepted a plea-bargain and the possession of a firearm by a felon was a felony charge against the Ringleader. The second bag that was a slightly different color and was NOT been tested in the crime lab

didn't matter as there was over two times the quantity of drugs in the first bag that HAD been tested and confirmed to be an illegal drug. This first bag was enough to meet the criteria of two serious felony charges of possession and intent to distribute. Each carrying a minimum sentence of over 18 years.

It didn't take long for the facts to come together for that person who had at first voted not guilty. After another vote, the unanimous 12 guilty votes came in to convict the Ringleader of all the charges against him. The jury had done their job and done their job well. A seasoned drug dealer was to be taken off the street and put into prison for a very long time.

But things were NOT over yet.

The jury reached their decision after 5 PM Thursday October 7, 2021. They had to come back to Court the next day for the actual sentencing.

So, on that next day, Attorney Daniel Talbert was angry. Ranting and raving that his client was being railroaded. That the DA had plea-bargained with the other three defendants, but not for his client. It quickly came out that the DA had indeed offered the Ringleader a plea-bargain. Help track down, catch and convict the higher-ups down at Atlanta for some better arrangements than a full 40 years in prison. But the Ringleader refused to cooperate. Probably at Talbert's urging. Urging like "we can beat this case." There are too many mistakes that have been made by the DA and the arresting officers.

And now the Ringleader has been convicted of all charges. Attorney Talbert pleads with the judge some more to let the sentences run concurrent with each other. A little over 18 years would be enough.

Now, it was the judges time to shy away from the Lawyers

tricks Talbert is throwing at him. No, says the Judge. A judge the jury declares looks a lot like President Donald Trump. Only with white hair, but combed the same way. (The Jury is obviously paying attention to everything that is going on around them.) The Judge says the Ringleader's previous conviction of manufacturing Crystal Meth shows that he didn't plan to change his occupation any time soon. No concurrent sentencing. It was all to be served consecutively. All adding up to over 40 years. Talbert says that he will appeal the case.

So, here we have it. A Judge and Jury who do their job and the Ringleader, a menace to civilized society, will be spending a good part-and maybe all-of the rest of his life in prison. As the Judge also said, "there is no telling how many lives that have been wasted because of the drugs sold to them by this man.

But that is still not the end of this case.

After all was said and done and before the Jury left the Courthouse. A Sheriff's Office Detective asked the jury members for advice on how to better do their job to arrest and convict drug dealers and perhaps other criminals. And, the jury members went over all the items that I included, for your convenience, in the previous text of this article. If you wondered, that is why I added those items, all sprinkled through the article as they became important, instead of restating them right here at the end. This is however, the first time that I ever remember (or know of) law enforcement seeking feedback from a jury after a trial. We should all give the Sheriff's Office and Sheriff Alan Norman credit where credit is due.

I would also suggest that, when citizens are called for Jury Duty, they should answer that call and serve the public just like this jury served the public. By keeping an open, but inquiring mind. Listen to all the evidence and do not fall for

lawyer theatrics. Lawyer theatrics by both the DA and the defense attorneys. Convict when a conviction is the correct thing to do and acquit when a Not Guilty verdict is the correct thing to do.

I would also urge the citizens of Cleveland County to demand more jury trial and less plea-bargaining from the Justice system in Cleveland County. From the District Attorney's Office especially.

I would also urge all judges to stop accepting so many plea-bargains and so many Civil case Motions to Dismiss. Justice, as shown in the cases of Mr. Willie Green vs. The City of Shelby and other lawsuits, has been subverted by what must be labeled as corruption, has been subverted so many times and in so many ways. Justice that only a full jury trial can bring to bear. Justice where the evidence is laid out for all to see. Justice where witnesses are cross examined and the truth is found for all to see.

Stay tuned folks. I will be soon preparing a full examination of District Court Judge Jamie Hodges Order dismissing Mr. Willie Green's lawsuit against Mr. Stacy Heavner. Tis will be a perfect example of injustice in the Court System when a Jury Trial is denied for unjust and corrupt legal reasoning. Also Involving lawyer Daniel Talbert.