





14471862

File No.

97CR 039580

WARRANT FOR ARREST

STATE OF NORTH CAROLINA

GUILFORD County

In The General Court Of Justice  
District Court Division

Offense

FIRST DEGREE MURDER

To any officer with authority and jurisdiction to execute a warrant for arrest for the offense(s) charged below:

THE STATE OF NORTH CAROLINA VS.

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

Name, Address & Telephone No. Of Defendant

RONNIE LEE KIMBLE  
6031 MONNETT ROAD  
JULIAN, N.C. 27283

0935  
UP

OF MALICE AFORETHOUGHT KILL AND MURDER PATRICIA GALE KIMBLE...

Race

W

Sex

M

Date Of Birth

01-17-72

Age

25

Social Security No.

Drivers License No. & State

8124461 N.C.

Name Of Defendant's Employer

UNITED STATES MARINE CORPS

Offense Code

Offense In Violation Of G.S.

14-17

Date Of Offense

OCTOBER 9, 1995

Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)

N47186J

Complainant (Name, Address Or Department, Phone No.)

DET. J.D. CHURCH  
GUILFORD COUNTY SHERIFF'S DEPT.

SA H.G. PENDERGRASS  
N.C. STATE BUREAU OF INVESTIGATION

Witnesses (Names, Addresses, Phone Numbers)

951009027

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

Date Issued

Feb 28, 1997

Signature

*Lawrence C. Swain*

Location Of Court

Date Of Service

Magistrate

Deputy CSC

Court Date

Court Time

Assistant CSC

Clerk Of Superior Court

AM  PM

AOC-CR-100

Rev. 3/95 (Structured Sentencing)

*Lawrence C. Swain*  
District Court Judge  
(Over)

2-

If this Warrant For Arrest is not served within one hundred 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 the 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
02-28-97	07-01-97	07-01-97

By arresting the defendant and bringing the defendant before:

Name Of Judicial Official  
*Magistrate*

This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return  
*J.D. Chubb*

Department Or Agency Of Officer  
*Burlingame Co. Sheriff's Dept.*

**REDELIVERY**

Date	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Assist. CSC <input type="checkbox"/> CSC
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**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 the defendant before:

Name Of Judicial Official

This Warrant WAS NOT served for the following reason:

Signature Of Officer Making Return

Department Or Agency Of Officer

**APPEAL ENTRIES**

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

The current pretrial release order is modified as follows:

Date Signature Of District Court Judge

**WAIVER OF PROBABLE CAUSE HEARING**

The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.

Date Waived Signature Of Defendant

Signature Of Attorney

District Attorney Attorney For Defendant At Time Of Trial Or Plea  Appointed  Retained  Waived

**PRIOR CONVICTIONS:**  
No./Level:  I  II  III (5+)

PLEA:  guilty  no contest  
 guilty  no contest  
 not guilty

VERDICT:  guilty  not guilty  
MISD. CLASS:  I  II  III

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict it is ORDERED that the defendant:  pay costs and a fine of \$

be imprisoned for a term of \_\_\_\_\_ days in the custody of the sheriff.  DOC. Pretrial credit \_\_\_\_\_ days served.  
 Work release  is recommended.  is not recommended. [ is ordered. (use form AOC-CR-602)]  
 The Court finds that a \_\_\_\_\_ longer. \_\_\_\_\_ shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary.  
 With defendant's consent, execution of the sentence is suspended and the defendant is placed on unsupervised probation for \_\_\_\_\_ months, 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 the defendant for suitable employment, and abide by all rules of the institution. (4) satisfy child support and family obligations, as required by the Court. (5) pay to the Clerk the costs of court and any additional sums shown below.

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

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

- 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) within \_\_\_\_\_ days.
- 7. not be found in or on the premises of the complainant or \_\_\_\_\_
- 8. not assault, communicate with or be in the presence of the complainant or \_\_\_\_\_
- 9. Other: \_\_\_\_\_

It is ORDERED that this:  Judgment is continued upon payment of costs.  
 case be consolidated for judgment with \_\_\_\_\_  
 sentence is to run at the expiration of the sentence in \_\_\_\_\_

COMMITMENT: It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

PROBABLE CAUSE:  Probable cause is found as to all Counts except \_\_\_\_\_, 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 Name Of District Court Judge (Type Or Print) Signature Of District Court Judge

**CERTIFICATION**

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

Date	Date Delivered To Sheriff	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Assist. CSC <input type="checkbox"/> CSC
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STATE OF NORTH CAROLINA

In The General Court Of Justice

ORDER FOR ARREST

GUILFORD--GR COUNTY

SUPERIOR COURT DIVISION

STATE OF NORTH CAROLINA

VS.

G. S. NUMBER  
14-58

KIMBLE, RONNIE, LEE  
GUILFORD CTY JAIL

*D Floor*

GREENSBORO NC

RACE: W SEX: M DOB: 01/17/72

DR LIC NO:

SOC SEC NO: - -

LID NO:

*F* COMPLAINANT:

*1* CHURCH, J, D

SFF

RECEIVED  
SHERIFFS OFFICE  
90 JUL -7 PM 4:08

TO ANY OFFICER WITH AUTHORITY AND JURISDICTION, TO SERVE AN ORDER FOR ARREST:

THE GRAND JURY OF THIS COUNTY HAVING RETURNED A TRUE BILL OF INDICTMENT, A COPY OF WHICH IS ATTACHED.

YOU ARE DIRECTED TO ARREST THE DEFENDANT AND BRING HIM BEFORE THE COURT AT THE PLACE, DATE AND TIME INDICATED BELOW OR UPON THE FIRST DAY OF COURT FOLLOWING HIS ARREST. IF COURT IS NOT IN SESSION, THEN YOU ARE TO TAKE HIM BEFORE A JUDICIAL OFFICIAL FOR THE PURPOSE OF DETERMINING CONDITIONS OF RELEASE AND COMMITMENT IF HE IS UNABLE TO COMPLY.

RELEASE IS TO BE THE OFFICIALS DISCRETION.

Deft. must be fingerprinted.

*07-10-98*

Location Of Court GREENSBORO, NC ROOM GB4C	Court Date 07/31/98	Court Time 09:30 AM <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Of Issue 07/06/98
Signature ESTIE BENNINGTON <i>[Signature]</i>			
<input checked="" type="checkbox"/> Deputy CSC			<input type="checkbox"/> Assistant CSC
<input type="checkbox"/> Magistrate			<input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge

*53267*

ORIGINAL  
(Over)

If an Order/Warrant For Arrest is not executed or served within one hundred and eighty (180) days, or if a Criminal Summons is not served within ninety (90) 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 execution or service noted thereon. The officer must state all steps taken by the department in attempting to execute or serve the Order/Warrant/Criminal Summons and any information obtained about the whereabouts of the defendant.

**RETURN OF SERVICE**

I certify that this Order/Warrant/Criminal Summons was received and executed or served as follows:

Date Received 07/07/98 Date Executed Or Served 07/07/98 Date Returned 07/07/98

By arresting the defendant and bringing the defendant before:  
 By personally serving this Criminal Summons on the defendant.

Name Of Judicial Official  
MAGISTRATE Jenkins

This Order/Warrant/Criminal Summons WAS NOT executed or served for the following reason:

Signature Of Officer Making Return

Department Or Agency Of Officer

**REDELIVERY/REISSUANCE**

Date \_\_\_\_\_ Signature Of Officer Making Return  Dep. CSC  Assist. CSC  CSC

**RETURN FOLLOWING REDELIVERY/REISSUANCE**

I certify that this Order/Warrant/Criminal Summons was received and executed or served as follows:

Date Received \_\_\_\_\_ Date Executed Or Served \_\_\_\_\_ Date Returned \_\_\_\_\_

By arresting the defendant and bringing the defendant before:  
 By personally serving this Criminal Summons on the defendant.

Name Of Judicial Official

This Order/Warrant/Criminal Summons WAS NOT executed or served for the following reason:

Signature Of Officer Making Return

Department Or Agency Of Officer

**APPEAL ENTRIES**

The defendant, in open court, gives notice of appeal to the  District  Superior Court.  
 The current pretrial release order is modified as follows:

Date \_\_\_\_\_ Signature Of District Court Judge Or Magistrate \_\_\_\_\_

**WAIVER OF PROBABLE CAUSE HEARING**

The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.

Date Waived \_\_\_\_\_ Signature Of Defendant \_\_\_\_\_

Signature Of Attorney \_\_\_\_\_

AOC-CR-217AS, Side Two  
 Rev. 12/95 (Structured Sentencing)

District Attorney \_\_\_\_\_ Attorney For Defendant At Time Of Trial Or Plea \_\_\_\_\_

Appointed  Retained  Waived

PREVIOUS CONVICTIONS: No./Level: 0  I(0)  II(1-4)  III

PLEA:  guilty  no contest  not guilty

VERDICT:  guilty  not guilty

**JUDGMENT:** The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea, on the above verdict it is ORDERED that the defendant:  pay costs and a fine of \_\_\_\_\_

be imprisoned for a term of \_\_\_\_\_ days in the custody of the sheriff.  DOC; Pretrial credit STAT2 days served.

Work release  is recommended.  is not recommended.  is ordered. (use form AOC-CR-602)

The Court finds that a  longer  shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary.

With defendant's consent, execution of the sentence is suspended and the defendant is placed on unsupervised probation for \_\_\_\_\_ months, 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 the defendant for suitable employment, and abide by all rules of the institution. (4) satisfy child support and family obligations, as required by the Court. (5) pay to the Clerk the costs of court and any additional sums shown below.

Fine \_\_\_\_\_ Restitution\* \_\_\_\_\_ Attorney's Fee \_\_\_\_\_ Community Service Fee \_\_\_\_\_ Other \_\_\_\_\_

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

- 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) within \_\_\_\_\_ days.
- 7. not be found in or on the premises of the complainant or \_\_\_\_\_
- 8. not assault, communicate with or be in the presence of the complainant or \_\_\_\_\_
- 9. Other: \_\_\_\_\_

It is ORDERED that this:  Judgment is continued upon payment of costs.  
 case be consolidated for judgment with \_\_\_\_\_  
 sentence is to run at the expiration of the sentence in \_\_\_\_\_

**COMMITMENT:** It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

**PROBABLE CAUSE:**  Probable cause is found as to all Counts except \_\_\_\_\_, 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 criminal pleading, and the Count(s) is dismissed.

Date \_\_\_\_\_ Name Of District Court Judge Or Magistrate (Type Or Print) \_\_\_\_\_ Signature Of District Court Judge Or Magistrate \_\_\_\_\_

**CERTIFICATION**

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

Date \_\_\_\_\_ Date Delivered To Sheriff \_\_\_\_\_ Signature \_\_\_\_\_

Dep. CSC  Assist. CSC  CSC

NOTE: If DWI, use AOC-CR-301 (active) or AOC-CR-310 (probation). If active sentence to DOC, use AOC-CR-602. If supervised probation, use AOC-CR-604.

ORDER FOR ARREST

STATE OF NORTH CAROLINA  
VS.

KIMBLE, RONNIE, LEE  
GUILFORD CITY JAIL

GREENSBORO NC

RACE: W SEX: M DOB: 01/17/70

DR LIC NO:

SOC SEC NO:

LIC NO:

COMPLAINANT:

CHURCH, G, D

SPT

STATE OF NORTH CAROLINA

GUILFORD-CR COUNTY

CHARGE DESCRIPTION  
01 F ARSON  
01 F CONSPIRACY TO MURDER NC

RECEIVED  
CLERK OF SUPERIOR COURT  
97 NOV -5 AM 11:58  
GUILFORD COUNTY

In The General Court Of Justice

SUPERIOR COURT DIVISION

G. S. NUMBER

14-58

COMMON LAW

TO ANY OFFICER WITH AUTHORITY AND JURISDICTION TO SERVE AN ORDER FOR ARREST:

THE GRAND JURY OF THIS COUNTY HAVING RETURNED A TRUE BILL OF INDICTMENT, A COPY OF WHICH IS ATTACHED.

YOU ARE DIRECTED TO ARREST THE DEFENDANT AND BRING HIM BEFORE THE COURT AT THE PLACE, DATE AND TIME INDICATED BELOW OR UPON THE FIRST DAY OF COURT FOLLOWING HIS ARREST. IF COURT IS NOT IN SESSION, THEN YOU ARE TO TAKE HIM BEFORE A JUDICIAL OFFICIAL FOR THE PURPOSE OF DETERMINING CONDITIONS OF RELEASE AND COMMITMENT IF HE IS UNABLE TO COMPLY.

RELEASE IS TO BE THE OFFICIALS DISCRETION.

Def. must be fingerprinted.

Location Of Court GREENSBORO, NC ROOM 0840	Court Date 12/05/97	Court Time 09:30 AM	<input type="checkbox"/> AM <input type="checkbox"/> PM	Date Of Issue 11/03/97
Signature ESTIE BENNINGTON				<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Magistrate
				<input type="checkbox"/> Assistant CSC <input type="checkbox"/> District Court Judge
				<input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Superior Court Judge

46262

ORIGINAL  
(Over)

CM:DA:11-12-97

-6-

If an Order Warrant for Arrest is not executed or served within the hundred and twenty (120) days of the Criminal Summons, a writ served within ninety (90) days of the date of the Clerk's Court in the county in which it was issued with the return for the failure of execution or service noted thereon. The officer must state all reasons for the Department's determination to execute or serve the Order Warrant Criminal Summons and any information obtained about the whereabouts of the defendant.

**RETURN OF SERVICE**

Identify that this Order Warrant/Criminal Summons was received and executed or served as follows:

Date Received: 11/05/97 Date Executed Or Served: 11/07/97 Date Returned: 11/07/97

By arresting the defendant and bringing the defendant before the Court.

By personally serving this Criminal Summons on the defendant.

Name of Officer: MAGISTRATE ANTONIE IIZ

This Order Warrant/Criminal Summons WAS NOT executed or served for the following reason:

Signature of Officer Making Return: [Signature]  
 Department or Agency of Officer: GCSO

**REDELIVERY/REISSUANCE**

Date: \_\_\_\_\_ Signature of Officer Making Return: \_\_\_\_\_  
 Fee: Dep. CSC \_\_\_\_\_, Assist. CSC \_\_\_\_\_, CSC \_\_\_\_\_

**RETURN FOLLOWING REDELIVERY/REISSUANCE**

Identify that this Order Warrant/Criminal Summons was received and executed or served as follows:

Date Received: \_\_\_\_\_ Date Executed Or Served: \_\_\_\_\_ Date Returned: \_\_\_\_\_

By arresting the defendant and bringing the defendant before the Court.

By personally serving this Criminal Summons on the defendant.

Name of Officer: \_\_\_\_\_

This Order Warrant/Criminal Summons WAS NOT executed or served for the following reason:

Signature of Officer Making Return: \_\_\_\_\_

Department or Agency of Officer: \_\_\_\_\_

**APPEAL ENTRIES**

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

The current pretrial release order is notified as follows:

Date: \_\_\_\_\_ Signature of District Court Judge Or Magistrate: \_\_\_\_\_

**WAIVER OF PROBABLE CAUSE HEARING**

The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.

Date Waived: \_\_\_\_\_ Signature of Defendant: \_\_\_\_\_

Signature of Attorney: \_\_\_\_\_

District Attorney: \_\_\_\_\_ Attorney For Defendant At Time Of Trial Or Plea: \_\_\_\_\_

Appointed  Retained  Waived

PLEA:  guilty  no contest  guilty  no contest  not guilty

VERDICT:  guilty  guilty  not guilty

PRIOR CONVICTIONS: No Level  0  I(0)  I(1-4)  III(0)

M. CL.  A1  1  2  3  4  5

**JUDGMENT:** The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict it is ORDERED that the defendant:  pay costs and a fine of \_\_\_\_\_

be imprisoned for a term of \_\_\_\_\_ days in the custody of the sheriff.  DOC. Pretrial credit \_\_\_\_\_ days served.

Work release  is recommended,  is not recommended. [ is ordered. (use form AOC-CR-602)]

The Court finds that a \_\_\_\_\_ longer \_\_\_\_\_ shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary.

With defendant's consent, execution of the sentence is suspended and the defendant is placed on unsupervised probation for \_\_\_\_\_ months, 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 the defendant for suitable employment, and abide by all rules of the institution. (4) satisfy child support and family obligations as required by the Court. (5) pay to the Clerk the costs of court and any additional sums shown below.

Fine	Restitution*	Attorney's Fee	Community Service Fee	Other
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\*Name(s), address(es), amount(s) & social security number(s) of aggrieved party(ies) to receive restitution:

- 5. 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) within \_\_\_\_\_ days.
- 7. not be found in or on the premises of the complainant or \_\_\_\_\_
- 8. not assault, communicate with or be in the presence of the complainant or \_\_\_\_\_
- 9. Other: \_\_\_\_\_

It is ORDERED that this:  Judgment is continued upon payment of costs.  case be consolidated for judgment with \_\_\_\_\_  sentence is to run at the expiration of the sentence in \_\_\_\_\_

**COMMITMENT** It is ORDERED that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

**PROBABLE CAUSE.** Probable cause is found as to all Counts except \_\_\_\_\_, 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 criminal pleading, and the Count(s) is dismissed.

Date: \_\_\_\_\_ Name Of District Court Judge Or Magistrate (Type Or Pnnt): \_\_\_\_\_ Signature Of District Court Judge Or Magistrate: \_\_\_\_\_

**CERTIFICATION**

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

Date: \_\_\_\_\_ Date Delivered To Sheriff: \_\_\_\_\_ Signature: \_\_\_\_\_

Dep. CSC  Assist. CSC  C

- 4 -

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

File No. 97 CRS 39580

FILED

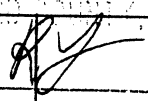
Film No.

STATE VERSUS

97 APR 7 PM 12:00

Defendant  
RONNIE LEE KIMBLE

BY



**INDICTMENT**

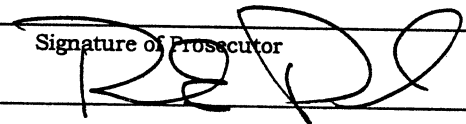
Date of Offense  
10-9-95

Offense in Violation of G.S.  
14-17

FRIST DEGREE MURDER

The jurors for the State upon their oath present that on or about October 9, 1995 and in Guilford County, the defendant, Ronnie Lee Kimble unlawfully, willfully and feloniously did of malice aforethought kill and murder Patricia Gail Kimble.

Signature of Prosecutor



WITNESSES

Det. J.D. Church G.C.S.D.

Det. D.L.DeBerry G.C.S.D.

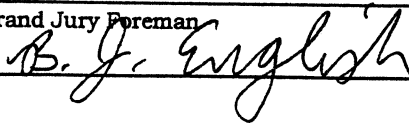
The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and after hearing testimony, this bill was found to be:

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 **APR 07 1997**

Signature of Grand Jury Foreman



250

32

**STATE OF NORTH CAROLINA**

In the General Court of Justice  
Superior Court Division

FILED

File No.

98CRS 23485

GUILFORD COUNTY  
STATE OF NORTH CAROLINA

1998 JUL -6 PM 3: 58

Film No.

**INDICTMENT  
FIRST DEGREE ARSON**

v.  
**RONNIE LEE KIMBLE**

GUILFORD COUNTY 1998

Date of Offense  
October 9, 1995

Offense in Violation of G.S.  
14-58 and the Common Law

**FIRST DEGREE ARSON**

**THE JURORS FOR THE STATE OF NORTH CAROLINA**, upon their oath present and find that on or about October 9, 1995, the Defendant, Ronnie Lee Kimble did unlawfully, willfully, maliciously and feloniously burn or cause to be burned a the dwelling house inhabited by Patricia Kimble, located at 2104 Brandon Station Court, Pleasant Garden, in Guilford County NC. At the time of the burning Patricia Kimble was in the dwelling.

Signature of Prosecutor

**WITNESSES**

J. D. Church  
Guilford County Sheriff's Department  
95-1009-0027

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

JUL 06 1998

Signature of Grand Jury Foreman

*Hendal M. Price*

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

File No. **97CRS 23654**

**GUILFORD COUNTY FILED**

Film No.

STATE OF NORTH CAROLINA  
v. **RONNIE LEE KIMBLE**  
GUILFORD COUNTY, N.C.

**INDICTMENT  
ARSON  
CONSPIRACY TO MURDER**

Date of Offense  
October 9, 1995

BY *[Signature]*

Offense in Violation of G.S.  
14-58 and the Common Law

**COUNT I  
ARSON OF AN UNOCCUPIED DWELLING**

**THE JURORS FOR THE STATE OF NORTH CAROLINA**, upon their oath present and find that on or about October 9, 1995, the Defendant, Ronnie Lee Kimble did unlawfully, willfully, maliciously and feloniously burn or cause to be burned a the dwelling house inhabited by Patricia Kimble, located at 2104 Brandon Station Court, Pleasant Garden, in Guilford County NC.

**COUNT II  
CONSPIRACY**

**AND THE JURORS FOR THE STATE OF NORTH CAROLINA**, upon their oath do present and find that on or about October 9, 1995, the Defendant, Ronnie Lee Kimble did unlawfully, willfully, and feloniously that conspire, combine, confederate and agree with Theodore Mead Kimble to commit the felony of Murder in the First Degree, in that Ronnie Lee Kimble did agree with Theodore Mead Kimble to murder, kill and slay Patricia Kimble in violation of N.C. Gen.Stat. 14-17, and the common law of the State of North Carolina.

*[Signature]*  
Signature of Prosecutor

**WITNESSES**

**J. D. Church**   
Guilford County Sheriff's Department  
95-1009-0027

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  
**NOV 03 1997**

Signature of Grand Jury Foreman  
*Michael Smith*

FILED

1998 JUL 14 AM 10:34 THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
GUILFORD COUNTY, C.S. FILE NO. 97CRS-39580

NORTH CAROLINA  
GUILFORD COUNTY

BY. JSR

STATE OF NORTH CAROLINA

VS.

RONNIE LEE KIMBLE,  
DEFENDANT.

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MOTION IN LIMINE

NOW COMES the defendant, above-named, through counsel, and moves the court pursuant to Article I, Sections 19, 23, and 24 and the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States and the General Statutes of North Carolina to bar evidence concerning Ronnie Kimble's alleged impregnation of a woman who was later alleged to have been coerced into aborting her pregnancy by defendant's brother and codefendant, Ted Kimble. In support of this motion the defendant shows the court the following:

1. In discovery materials furnished by the prosecution, Ted Kimble is alleged to have confronted a woman and asked her if she was pregnant by his brother Ronnie. When she indicated that she was, Ted Kimble allegedly made her take a pregnancy test in his presence and told her she could not have the baby because she and Ronnie were not married. Allegedly Ted Kimble insisted she get an



abortion and she did so in part because Ted Kimble coerced her by pointing a gun at her.

2. There is no allegation that Ronnie Kimble was present or knew this was happening.

3. Such evidence is purely and simply character assassination as to Ronnie Kimble and as such violates Rule 404(a).

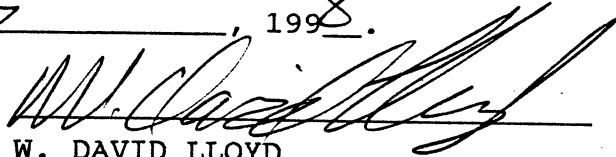
4. Even if the prosecution is able to advance some sort of theory of alternative admissibility to argue admission under Rule 404(b)--and undersigned counsel understands the state will argue admissibility on the theory that such action by Ted Kimble on Ronnie Kimble's behalf later provided a "pay-back" so that Ronnie agreed to murder Patricia Kimble-- such evidence could never pass muster under a Rule 403 balancing test.

5. Such a theory is first, the rankest of speculation. It's potential for unfair prejudice far outweighs any marginal probative value even if the validity of such a theory is accepted without question.

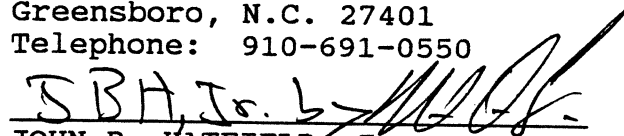
6. What such evidence really does is poison Ronnie Kimble in the eyes of the jury by showing him to be a person of bad character for begetting a child and then abandoning the mother by not marrying her. Even if all the allegations are accepted at face value, it shows nothing else about Ronnie Kimble and is excludable under both Rule 404(a) and 403.

WHEREFORE, the defendant prays the court not allow any evidence of this alleged incident to be presented in the trial of this matter.

This the 14 day of July, 1998.

  
W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

101 South Elm St.  
Greensboro, N.C. 27401  
Telephone: 910-691-0550

  
JOHN B. HATFIELD, JR.,  
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street  
Greensboro, NC 27401

FILED

1998 JUL 14 AM 10:14

NORTH CAROLINA GUILFORD COUNTY, C.S.C.  
GUILFORD COUNTY BY JSR

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 97CRS-39580

STATE OF NORTH CAROLINA )

VS. )

RONNIE LEE KIMBLE, )  
DEFENDANT. )

MOTION IN LIMINE  
RE JANET SMITH

---

NOW COMES the defendant, above-named, through counsel, and moves the court pursuant to Article I, Sections 19, 23, and 24 and the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States and the General Statutes of North Carolina to bar evidence concerning the fact that Ronnie Kimble has been charged with conspiracy to commit a sex act by a custodian under 14-27.7 and to bar any evidence of any events surrounding alleged incidents between the defendant and former jailor Janet Smith, including statements that Ronnie Kimble made in letters or notes to Janet Smith. Any such evidence has no relevance to the determination of the defendant's guilt in the murder of Patricia Kimble and, assuming *arguendo* that if the relevance threshold were met, such evidence would fail a Rule 403 balancing test. In support of this motion the defendant shows the court the following:

1. In the fall of 1997 while incarcerated in the Guilford County Jail, the defendant and a female jailor, Janet Smith, who had custodial responsibility over the defendant began to talk to each other and pass notes and letters.

2. The letters progressed to the point where they contained graphic sexual descriptions of fantasies as to what they would do had they been free to do what they wished without fear of adverse consequences. The letters, though quite sexually explicit, never refer to anything of a sexual nature in the past tense, only in the future tense. In short, they make reference to sexual acts in terms of fantasy as opposed to actual events which have happened. In point of fact, the only physical contact between the defendant and Janet Smith was an embrace and a kiss.

2. Despite this lack of evidence, Assistant District Attorney Dick Panosh and Detective J. D. Church, (the lead investigator in the defendant's murder case) indicted the Defendant for conspiracy to commit sexual activity by a custodian under N.C.G.S. 14-27.7 with Janet Smith. The statute reads as follows:

If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, or if a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal

intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony. Consent is not a defense to a charge under this section.

N.C.G.S. 14-27.7 (emphasis added). The lack of evidence aside, this is the legal equivalent to indicting a 16-year-old girl under the statute for having sex with her stepfather; or for that matter for indicting a 12-year-old girl for statutory rape for having consensual sex with her 18-year-old boyfriend. The statute quite simply speaks for itself: if the person having custody of the victim "engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony. N.C.G.S. 14-27.7 (emphasis added). If the legislature had wanted to criminalize the conduct of the person in custody, it would have said both the defendant and victim are guilty of a class E felony and it surely would not have used the term victim to refer to the person in custody.

3. Undersigned counsel has done an exhaustive computerized search of caselaw in an attempt to find a case in which a named victim under this statute has been prosecuted. There are none.

4. Nor does it make a difference that the state has indicted the defendant for conspiracy to violate the statute rather than for a substantive offense. If the defendant falls into a class of legislatively protected persons, as here, he can not be charged with conspiracy. The leading case enunciating this principle comes from the United States

Supreme Court in *Gebardi v. United States*, 287 U.S. 112, 53 S.Ct. 35, 77 L.Ed. 206 (1932). There a man and a woman were both convicted of conspiracy to violate the Mann Act (transporting a girl or woman across state lines for immoral purposes). The Supreme Court reversed and held that where the legislative intent was to leave even the voluntary acquiescence unpunished by the woman, and hence not guilty of the substantive crime, then the woman could not be found guilty of conspiracy. This is precisely the situation with our statute except that it is even more clear since our legislature used the term "victim." See also LaFave and Scott, *Substantive Criminal Law*, Section 6.5 p. 119. In addition, charging the participants with conspiracy based upon a crime which requires two participants such as bigamy, adultery, incest or solicitation violates Wharton's Rule. *Ibid.* It is not clear whether North Carolina has formally adopted Wharton's rule. *State v. Larrimore*, 340 N.C. 119 (1995).


5. In anticipation of the prosecution's argument that it will not seek to introduce evidence of the fact the defendant has been charged, but only so much of the facts as are necessary to bring out the fact that the defendant wrote Janet Smith a letter in which he urged her to deny to authorities that anything had been going on between them and pledged that he would do the same, such evidence could only be considered for admissibility if the defendant's

credibility became an issue. Even then, stating that he would deny to authorities that any kind of a relationship existed between himself and Janet Smith is only marginally relevant to credibility concerning testimony under oath in a court of law. However, the potential for unfair prejudice is rampant. The real reason the prosecution wants to get into this matter, is to bring out that the "relationship" with Janet Smith was outside the defendant's marriage. Such evidence is in fact, merely bad character evidence masquerading as credibility impeachment. As such it will never pass muster under a Rule 403 analysis; the unfair prejudice it generates far outweighs any probative value it might have.

6. Finally, to allow the State to delve into such extraneous matters in the event the defendant were to take the witness stand in his own behalf, has a profoundly chilling effect on his decision to testify. It presents the defendant with a Hobson's choice: he can either present his defense from his own lips and be smeared by irrelevant character assassination, or he can forego his right to put forth a defense at all. The law can not be party to such duplicity.

WHEREFORE, the defendant prays the court not allow any evidence of this alleged incident to be presented in the trial of this matter.

This the 14 day of July, 1998

  
W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

101 South Elm St.  
Greensboro, N.C. 27401  
Telephone: 910-691-0550

  
JOHN B. HATFIELD, Jr.,  
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street  
Greensboro, NC 27401



FILED

1998 JUL 22 11:03

NORTH CAROLINA  
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 97CRS-39580

BY     aa    

STATE OF NORTH CAROLINA

VS.

RONNIE LEE KIMBLE,  
DEFENDANT.

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MOTION IN LIMINE  
RE: TED KIMBLE

NOW COMES the defendant, above-named, through counsel, and moves the court pursuant to Article I, Sections 19, 23, and 24 and the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States and the General Statutes of North Carolina to bar evidence concerning alleged statements Ted Kimble has given to witnesses which tend to incriminate Ronnie Kimble. In support of this motion the defendant shows the court the following:

1. In discovery materials furnished by the prosecution, Ted Kimble is alleged to have made a number of statements to witnesses which implicate his brother and codefendant, Ronnie Kimble.

2. Patricia Kimble died on October 9, 1995. Representative of these statements are the following:  
Dominic Harris: Sometime after April of 1997, Harris shared a jail cell with Ted Kimble and Ted kimble allegedly told

him, "I didn't do it and they are fixing to go and get my brother and they'll find out who killed my wife."

3. Patrick Pardee: Sometime in February of 1997 Pardee alleges Ted Kimble told him that he had gotten a part time job to have an alibi for Patricia Kimble's death. But in answer to the question did he kill his wife, he answered, "No, Ronnie did it." Pardee was charged with a number of felonies including breaking and entering and larceny along with Rob Nichols and Ted Kimble. He has agreed to testify for the State pursuant to a written agreement in exchange for a probationary sentence.

4. Robert Nichols: Sometime after October of 1996, more than a year after Patricia Kimble's death, Nichols alleges that after repeatedly asking Ted Kimble if he had anything to do with his wife's death and being told that he (Ted) had an alibi and his brother Ronnie also had an alibi, Ted told Nichols that he did have something to do with his wife's death and not to ask him about it any more. Nichols is testifying pursuant to a written agreement in exchange for a probationary sentence.

5. The law is clear:

Pursuant to N.C.G.S. 8C-1(d)(E), a hearsay statement of a defendant's coconspirator is admissible as an exception to the hearsay rule if the statement was made during the course and in furtherance of the conspiracy. In order for the statements or acts of a coconspirator to be admissible, there must be a showing that a conspiracy existed and that the acts or declarations were made by a party to it and in

pursuance of its objectives while the conspiracy was active, that is after it was formed and before it ended. *State v. Tilley*, 292 N.C. 132, 138, 232 S.E.2d 433, 438 (1977).

*State v. Williams*, 345 N.C. 137, 141 (1996) (emphasis added). The courts have also required the State to make a *Prima facie* case of conspiracy without relying on the declarations sought to be admitted. *Id.*

6. While counsel is not in a position to make a prediction on whether the state can meet its *prima facie* burden, it is clear that none of these statements were made during the course of the conspiracy and certainly not in furtherance of the conspiracy. See *State v. Marlow*, 334 N.C. 273, 282 (1993) (holding that the conspiracy had ended on the conclusion of the murder and burglary when the objective was accomplished and the statements were not made during its course nor in furtherance of the conspiracy).

7. Here according to the state's own theory, the objective of the conspiracy to kill Patricia Kimble had long since been accomplished. It is even more difficult to conceive what any of these statements had to do with the furtherance of the conspiracy.

8. These and all similar statements are inadmissible and the court should so order.

9. In regard to the testimony of Nichols and Pardee and anyone else the state calls who is testifying pursuant to any agreement with the state in consideration for their testimony, such is a violation of federal law and this Court

can not countenance such violation and allow the state to present testimony in violation of federal law. See *U.S. v. Singleton*, 1998 WL 35007 (10th Cir. Court of Appeals) (now pending *en banc* hearing before the entire 10th Cir. Court of Appeals). The *Singleton* Court ruled in an exhaustive opinion that despite the widespread and common practice of giving defendants leniency in exchange for testimony, the practice was barred by federal law:

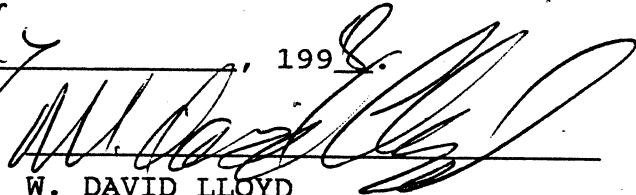
Section 201(c)(2) could not be more clear. It says: Whoever ... directly or indirectly, gives, offers or promises anything of value to any person, for or because of the testimony under oath or affirmation give or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court ... authorized by the laws of the United States to hear evidence or take testimony ... shall be fined under this title or imprisoned for not more than two years, or both.

*Id.* at page 3. This court can do no less.

WHEREFORE, the defendant prays the court not allow any

of the above statements or similar statements or the  
testimony of Robert Nichols and Patrick Pardee to come into  
evidence.

This the 29 day of July, 1998.



W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

101 South Elm St.  
Greensboro, N.C. 27401  
Telephone: 910-691-0550



JOHN B. HATFIELD, Jr.,  
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street  
Greensboro, NC 27401

FILED

NORTH CAROLINA  
GUILFORD COUNTY

1978 JUL 27 11:11:02  
IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 97CRS-39580

BY Da

STATE OF NORTH CAROLINA )  
 )  
 )  
 VS. )  
 - )  
 )  
 RONNIE LEE KIMBLE, )  
 DEFENDANT. )

MOTION IN LIMINE  
Re: STATEMENTS OF THE  
DECEASED

NOW COMES the defendant, above-named, through counsel, and moves the court pursuant to Article I, Sections 19, 23, and 24 and the Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States and the General Statutes of North Carolina to bar evidence of statements of the deceased. In support of this motion the defendant shows the court the following:

1. While it is impossible for counsel to predict what theories the state will argue admissibility, all the statements are clearly hearsay and thus must pass muster under one of the recognized hearsay exceptions. The only exception counsel deems applicable for consideration and the one most commonly applied in caselaw is 803(3), Then Existing Mental, Emotional or Physical Condition. The rule would allow statements of the declarants then existing state of mind, emotion, sensation or physical condition, but not a

statement of memory or belief to prove a fact remembered or believed. Rule 803(3).

2. In discovery materials furnished by the prosecution, the state lists some eight paragraphs of statements of the deceased which it indicates it will seek to admit. They are attached to this motion. The bulk of these statements have nothing to do with a then-existing mental or emotional or physical condition and are not admissible.

4. While counsel will concede there is case law to support the admission of statements which do indeed describe a then existing emotional state of the declarant, such as "I am afraid for my life," the rule clearly excludes statements of a factual nature which are based on belief. See *State v. Artis*, 325 N.C. 278 (1989) (holding inadmissible the victim's statement that she was going to get killed if the people ever caught up with her because the statement was basically one of belief).

3. Representative of such statements here is number two from the state's list: "She went on to state that her husband, Theodore Mead Kimble, had changed a lot and that she thought he might kill her over the insurance money." Such a statement is not a statement of then existing mental or emotional condition, but is a statement of her belief and opinion that "she thought he might kill her over the

insurance money," and is simply inadmissible belief and opinion.

4. The bulk of these statements fall into this category and are simply statements of belief in facts and are not statements of then existing mental or emotional condition as required by the rule.

5. Rule 804 does allow a statement under belief of impending death; the so-called dying declaration. Rule 804(b)(2). However it does not apply in this case because of the requirement that the deceased must believe that death is "imminent" and that is easily disproved because had Patricia Kimble believed her death was imminent at the hands of her husband she would have left.

WHEREFORE, the defendant prays the court not allow any statements of the deceased into evidence at the trial of this matter.

This the 29 day of July, 1998.

  
W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

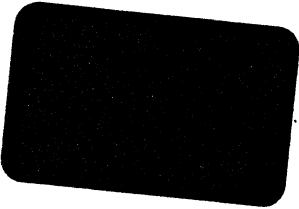
101 South Elm St.  
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Telephone: 910-691-0550

  
JOHN B. HATFIELD, JR.,  
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street  
Greensboro, NC 27401



GUILFORD COUNTY SHERIFF'S DEPT.



INTERVIEW SHEET

NAME: Robert Harold Nicholes

INTERVIEWED BY: DET. J. D. CHURCH DATE: 29 MAY 97 TIME: 1715 HRS.

ADDRESS&PHONE: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_ AGE: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

WEIGHT: \_\_\_\_\_ EYES: \_\_\_\_\_ HAIR: \_\_\_\_\_ COMPLEXION \_\_\_\_\_ POB: \_\_\_\_\_

PRIOR ADDRESS: \_\_\_\_\_

NEXT OF KIN: (address & phone) \_\_\_\_\_

CHARGE: \_\_\_\_\_ PRIOR CHARGES: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

OPERATORS LIC# \_\_\_\_\_ SS# \_\_\_\_\_

ASSOCIATES: \_\_\_\_\_  
\_\_\_\_\_

INTERVIEW

Today, AROUND 3:00 P.M., I RECEIVED A CALL FROM  
JEFF ROBERTS. JEFF TOLD ME THAT IF I DIDNT  
TAKE CARE OF PAYING LOWE'S \$3000.00, THAT HE WAS  
GOING TO MR. KIMBLE, TED'S FATHER, AND TELL

SIGNED: Albert H. Nich DATE: 5/29/97 TIME: 5:30-

HIM WHAT HE WANTED TO KNOW IN ORDER TO PROVE THAT I AM A DISCREDIBLE WITNESS AGAINST TED KIMBLE. HE TOLD ME THAT HE HAD BEEN OR HAD CONTACT WITH MR KIMBLE AND WALLY HARRISON. HE SAID WALLY HARRISON TOLD HIM TO PASS OUT SOME OF HIS CARDS TO OTHER PEOPLE THAT KNEW ME TO FURTHER DISCREDIT MY TESTIMONY AGAINST TED KIMBLE. JEFF SAID THAT IF I DIDN'T HAVE HIM \$450.<sup>00</sup> BY TOMORROW, MAY 30, 1997, 5:00 P.M. THAT HE WOULD FOLLOW THROUGH WITH HIS THREAT.

\_\_\_\_\_  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 2

(263)-29-

GUILFORD COUNTY SHERIFF'S DEPT.

INTERVIEW SHEET

NAME: Robert Harold Nicholas

INTERVIEWED BY: Det. J.D. Church DATE: 12 MAY 97 TIME: 0950 HRS.

ADDRESS&PHONE: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_ AGE: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

WEIGHT: \_\_\_\_\_ EYES: \_\_\_\_\_ HAIR: \_\_\_\_\_ COMPLEXION \_\_\_\_\_ POB: \_\_\_\_\_

PRIOR ADDRESS: \_\_\_\_\_

NEXT OF KIN: (address & phone) \_\_\_\_\_

CHARGE: \_\_\_\_\_ PRIOR CHARGES: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

OPERATORS LIC# \_\_\_\_\_ SS# \_\_\_\_\_

ASSOCIATES: \_\_\_\_\_

INTERVIEW

There ARE some things that I have thought of  
since I had my last interviews that I would  
like to tell you.

There was a time before Ted told me that he was

SIGNED: Robert H. Nicholas DATE: 5/19/97 TIME: 2:05 pm

involved in his wifes murder \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Ted showed me A gun silencer ONCE AT work. He told me that he had made it himself and had got the parts to make it AT Lowe's.

On the night Ted told me that he was involved in his wifes murder, he also told me something else. He said that I just didn't understand. Then he started crying and said that when he was A little boy that his Dad beat him and his mother.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Robert W. [Signature]  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 4

(259)-31-

[REDACTED]

Ted always told me I wouldn't make a good  
criminal because I opened my mouth to much.

[REDACTED]

Klatu Nelson  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 3 of 4

(260)-32-

PATRICK

appeared to me to be a person that looked up to TED. I DO KNOW THAT TED WAS ABLE TO MANIPULATE ME AND GET ME TO GO ALONG WITH HIS IDEAS. TED DID THREATEN ME AND MAYBE THATS HOW HE WAS ABLE TO GET OVER ON ME. [REDACTED]

[REDACTED] TED WOULD SAY THESE THINGS TO SCARE ME AND IT WORKED. SEVERAL TIMES MY WIFE AND I WOULD PARK OUR CARS AWAY FROM OUR CONDO SO THAT WHEN TED CAME TO GET ME TO GO WITH HIM TO STEAL THINGS HE WOULD THINK I WASNT HOME. [REDACTED]

*[Handwritten Signature]*

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 4 of 4

(26D)-33-



GUILFORD COUNTY SHERIFF'S DEPT.

INTERVIEW SHEET

NAME: Robert Harold Nicholes

INTERVIEWED BY: DET. J.D. CHURCH DATE: 09 MAY 97 TIME: 1500 HRS.

ADDRESS&PHONE: \_\_\_\_\_

DOB: \_\_\_\_\_ SEX: \_\_\_\_\_ RACE: \_\_\_\_\_ AGE: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

WEIGHT: \_\_\_\_\_ EYES: \_\_\_\_\_ HAIR: \_\_\_\_\_ COMPLEXION \_\_\_\_\_ POB: \_\_\_\_\_

PRIOR ADDRESS: \_\_\_\_\_

NEXT OF KIN: (address & phone) \_\_\_\_\_

CHARGE: \_\_\_\_\_ PRIOR CHARGES: \_\_\_\_\_

PLACE OF EMPLOYMENT: \_\_\_\_\_

OPERATORS LIC# \_\_\_\_\_ SS# \_\_\_\_\_

ASSOCIATES: \_\_\_\_\_

INTERVIEW

In October of 1996 I HAD BEEN WORKING FOR TED  
KIMBLE FOR APPROXIMATELY TWO MONTHS. EARLY  
IN OCTOBER THE NEWS MEDIA CAME BY THE LYLES  
BUILDING MATERIAL TO DO A FOLLOW-UP ON THE

SIGNED: Robert Nicholes DATE: 5/16/97 TIME: 5:30

Det. J.D. Church 16 MAY 97  
Sergeant DL Oby 107/16/97 1735

DEATH OF TEDS WIFE PATRICIA. I ASKED TED ABOUT HIS WIFES DEATH LATER AND TED SAID THAT SHE HAD GOTTEN SHOT BUT WAS VERY FAGUE ABOUT IT. THAT NIGHT I WATCHED THE NEWS AND SAW A PICTURE OF PATRICIA. I WANTED TO KNOW MORE BUT I DIDNT WANT TO ASK TED AT THAT TIME.

[REDACTED]

Robert H. News 5/16/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Det. J.D. Check 16 MAY 97

Sergeant D.L. DeBery May 16, 97 1735 hrs





PROPERTY COULD NOT BE IDENTIFIED. I SAW TED  
INSTRUCT JAMES TO REMOVE NUMBERS FROM DOORS  
AND SAND THEM AND PAINT OR PRIME OVER THEM SO THEY  
COULDN'T BE IDENTIFIED. [REDACTED]

[REDACTED]

Robert H. [Signature] 5/16/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 4 of 8

Det. J. V. Church 16 MAY 97

Sergeant D. L. [Signature] May 16, 97 1735-63

(253) -37-

[REDACTED]  
[REDACTED]  
[REDACTED] start writing me checks for stolen merchandise so hyles would be covered. Later on when some of the checks came back from the bank Ted held them up in front of my face and said, if you ever try to get me in trouble I've got you, all the proof is right here.

After the news media came in October 1996 I wanted to know more about Patricia's death, so I used the computers, at UNCG where I was going to school, to read articles from the news paper on Patricia's death.

On several occasions I asked Ted if he killed his wife and he would say or reply by saying, no I had a aliby, theres no way I could have killed her and never showed any emotion what-so-ever. I asked again several times again if he killed his wife or had any thing to do with and he would always say that he had an aliby [REDACTED]  
[REDACTED]

ALVIN M. M. 5/16/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 5 of 8

Det. J. D. Church 26 MAY 97

Sergeant D. L. LaBey May 16, 97 1735 hrs

(254) -38-

[REDACTED]  
[REDACTED] But, on one night we  
WERE RIDING AROUND IN THE BOX TRUCK TO  
GO TO THE CARDINAL OFF FLEMING ROAD TO STEAL  
SOMETHING AND TED TOLD ME THAT HE DID HAVE  
SOMETHING TO DO WITH HIS WIFE'S DEATH, AND NOT  
TO ASK HIM ABOUT IT ANY MORE.

TED TOLD ME THIS AFTER WE HAD STOLEN ABOUT  
\$25,000.00 WORTH OF ITEMS FROM Northen and  
TED FELT CLOSER TO ME AND TRUSTED ME MORE.

But, TED ~~THREATENED~~ THREATENED ME THAT HE  
WOULD KILL ME IF I TOLD. AND HE SAID, YOU  
ALREADY KNOW I WON'T GET CAUGHT.

IN JANUARY OF 1997 TED TOLD ME THAT HE  
HAD SIGNED HIS WIFE'S NAME TO AN INSURANCE  
POLICY BUT THAT HE HAD SCREWED UP BECAUSE SHE  
HAD NOT TAKEN HER PHYSICAL AT THE TIME SHE  
DIED, SO THE POLICY WOULD NOT PAY.

TED ALSO SAID IN JANUARY THAT HE WAS GOING TO  
KILL DET. CHURCH IF HE DID NOT QUIT HARASSING  
HIM OVER HIS WIFE'S DEATH. [REDACTED]

Robert H. Middle 5/16/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 6 of 8

Det. J. D. Church 16 MAY 1997

Sergeant D. L. LaBerge May 16, 97 1735 hrs

(255)-39-

[REDACTED]  
 [REDACTED]  
 TED CARRIED A PISTOL ON HIS PERSON ABOUT ALL THE TIMES. He said that he would not be arrested I WAS VERY AFRAID OF TED, especially after he had told me that he would kill me. He, Ted came to my house many times and tell me to get up and go with him that he needed my help to steal something. Patrick Pardee would be with him some of the times when he came to pick me up. Ted carried two Police scanners with him every time we went out to steal. Ted specially ordered 800 MHz scanners after Patrick told him the 600 MHz SCANNERS WOULD NOT PICK UP THE SHERIFFS DEPARTMENT. I KNOW AT LEAST 5 OCCASIONS that Ted and I along with Patrick heard the Police being dispatched to the location we were stealing things and we were able to get away.

[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

Alfred H. Nich 5/16/97

Page 7 of 8

SIGNATURE OF PERSON PROVIDING STATEMENT

Det. J.D. Church 16MA497

Sergeant R.L. Leiby 21-16,97 1735 hrs

(256)-40-

GUILFORD COUNTY SHERIFF'S DEPT.

INTERVIEW SHEET

NAME: Robert Harold Nicholes

INTERVIEWED BY: Det. J.D. Church DATE: 18 April 97 TIME: 1415 HRS.

ADDRESS&PHONE: 5665 Hornday Road, Greensboro, 852-7278

DOB: 10-08-71 SEX: M RACE: W AGE: 25 HEIGHT: 511

WEIGHT: 190 EYES: BLU HAIR: BRO COMPLEXION: MED POB: WAUKESHA WISCONSIN

PRIOR ADDRESS: 11 Colington Ct. G-50

NEXT OF KIN: (address & phone) Candice Wife

CHARGE: \_\_\_\_\_ PRIOR CHARGES: \_\_\_\_\_

PLACE OF EMPLOYMENT: Lyles Building Material (Student UNCG)

OPERATORS LIC# \_\_\_\_\_ SS# \_\_\_\_\_

ASSOCIATES: \_\_\_\_\_

INTERVIEW

I first met Ted Kimble around eight months ago. I saw an ad in the Greensboro newspaper for help wanted at Lyles Building Material on Lee Street. Ted gave me a job and was willing to let me

SIGNED: Robert Nicholes DATE: 4/18/97 TIME: 4:42

12127 -41-

work part time when I was able to because I was and still am a student at the University of North Carolina in Greensboro. Ted paid me \$6.50<sup>00</sup> an hour. Approximately 3 months later Ted asked me if I wanted to make some extra money and told him yes, <sup>at 2:30 am on the phone.</sup> so I went with him to the Brassfield area of Greensboro and helped Ted load two doors that cost about \$2,000.00 each. We also took several windows and made three trips to haul the things away. I remember it was on a Friday night and it was snowing. Ted gave me \$300.00 for helping that night. At first I thought Ted was straight about the windows and doors but Ted kept asking me to go with him and "would come to my home and get me to go with him. Some of the times I would tell Ted I wasn't going and Ted would say "you are going" and show me his pistol. I was afraid of Ted and still am. Ted told me two times if I went to the Police and told them anything that he would kill me. Ted was very intimidating. I can

Robert H. White 4/18/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 6

(245)-42-

Remember Ted and I going out 20 times  
to steal building material. I also remember  
3 to 5 additional times that Ted, Patrick Paedee  
and I went out together and stole building  
materials and also to Northern Hydraulic  
where we took 90 karts and a lawn mower.  
Ted went by himself to Northern and took 2  
large generators. He hid them in bushes and  
I went back with him two days later and helped  
him load the generators.

[REDACTED]

rested a forklift from TriCity on Industrial

Sgt # Nichols 4/18/91  
SIGNATURE OF PERSON PROVIDING STATEMENT

(246)-43-



Ave and hauled it to the Home Depot at Bensfield to load lumber that we were stealing. Ted would load trailers and leave the Forklift at the Home Depot and go back later to get the forklift. Ted was not afraid he would get caught.

[REDACTED]

I am willing to show all the places Ted, Patrick and I took things from. Ted would sell a lot of the stolen items on his business lot at Lyles Building Material. Ted also would take doors and windows ~~the~~ that he said would meet the specs on his blueprints for the house he was planning to build for himself.

I had learned about Ted's wife being murdered and had mentioned it to Ted on several occasions. At one point I wanted to learn about the death so I looked up the news articles on a computer at UNCG. Once when we were

Robert H. [Signature]  
SIGNATURE OF PERSON PROVIDING STATEMENT

(292)-44-

Riding around looking for building material to steal I asked Ted if he had anything to do with his wifes death and he wouldn't say anything, so I asked again and again over a few months and Ted told me "Yes I did" <sup>have something to do with</sup> and now are you happy. I asked him how he was involved and Ted said "Ask me no questions and I'll tell you no lies". At that point I realized that Ted was involved in his wifes murder. Ted told me he forged his wifes signature on an insurance policy. Ted was also mad that he didn't get any money from that policy and told me that she hadn't taken the physical. Ted would brag and say that if the law had anything that they would have already arrested him.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Robert A. [Signature] 4/18/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 5 of 6

(248)-45-

Earlier this year Ted told me that if Det. J.D. CHURCH didn't quit harrasing him that he was going to kill him.

[REDACTED]

I am also willing to cooperate with the Sheriff's Department, SBI and Brewsboro Police Department in any way I can.

[REDACTED]

Robert M. Lee - 4/18/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

INTERVIEW

There ARE some things that I have thought of since I had my last interviews that I would like to tell you.

There was a time before Ted told me that he was

SIGNED: R. H. Nelson DATE: 3/19/97 TIME: 2:05 pm

PAGE ONE OF 4

(258)

involved in his wifes murder that I was talking to him and told him that he should go to the Sheriff's Department and take a polygraph test. Ted told me that he could not do it, and took out some papers and described them as being a polygraph test that he had already taken from one of his Attornies. Ted described and showed me the lines on the paper and said that it indicated that he was lying about involvement in his wifes death.

Ted showed me a gun silencer once at work. He told me that he had made it himself and had got the parts to make it at Lowe's.

On the night Ted told me that he was involved in his wifes murder, he also told me something else. He said that I just didn't understand. Then he started crying and said that when he was a little boy that his Dad beat him and his mother.

I also remember TED AND PATRICK PARDEE A few months ago ordering some books by mail. Ted went across the street from hyles and bought a money order and sent sent the order off.

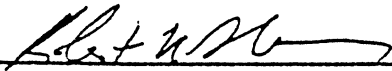
Kathy Clark

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 4



appeared to me to be a person that looked up to TED. I DO KNOW THAT TED WAS ABLE TO MANIPULATE ME AND GET ME TO GO ALONG WITH HIS IDEAS. TED DID THREATEN ME AND MAYBE THATS HOW HE WAS ABLE TO GET OVER ON ME. I REMEMBER ONE DAY I WAS AT WORK AT LYLES AND PATRICK PULLED UP AND TED TOLD ME, "PATRICK IS HERE, NOW WE ARE GOING TO EXECUTE YOU." TED WOULD SAY THESE THINGS TO SCARE ME AND IT WORKED. SEVERAL TIMES MY WIFE AND I WOULD PARK OUR CARS AWAY FROM OUR CONDO SO THAT WHEN TED CAME TO GET ME TO GO WITH HIM TO STEAL THINGS HE WOULD THINK I WASN'T HOME. THERE WAS THIS TIME THAT TED ASKED TO USE MY PHONE AND WHILE DOING SO HE GOT THE CODE OFF IT. LATER WE WERE TOGETHER AND TED CALLED MY WIFE ON HIS MOBILE PHONE. HE TOLD ME, WATCH THIS I WANT YOU TO SEE SOMETHING. HE TURNED ON HIS POLICE SCANNER AND I COULD HEAR MY WIFE TALKING TO TED ON HIS PHONE. TED LET ME KNOW THAT HE KNOWS EVERYTHING THAT WAS GOING ON WITH ME



SIGNATURE OF PERSON PROVIDING STATEMENT

Page 4 of 4

(26D-50-

INTERVIEW

IN OCTOBER OF 1996 I HAD BEEN WORKING FOR TED  
KIMBLE FOR APPROXIMATELY TWO MONTHS. EARLY  
IN OCTOBER THE NEWS MEDIA CAME BY THE LYLES  
BUILDING MATERIAL TO DO A FOLLOW-UP ON THE

SIGNED: Robert M. Mula DATE: 5/16/97 TIME: 5:30

PAGE ONE OF 8

Det. J. D. Church 16 MAY 97

Sergeant D. H. DeBry 107/16/97 1735 L  
'250'



DEATH OF TEDS WIFE PATRICIA. I ASKED TED  
ABOUT HIS WIFES DEATH LATER AND TED SAID THAT  
SHE HAD GOTTEN SHOT BUT WAS VERY FAGUE ABOUT  
IT. THAT NIGHT I WATCHED THE NEWS AND SAW  
A PICTURE OF PATRICIA. I WANTED TO KNOW MORE  
BUT I DIDNT WANT TO ASK TED AT THAT TIME. THE  
NEXT DAY AFTER THE NEWS MEDIA HAD BEEN THERE  
I MENTIONED THE NEWS STORY TO A CO-WORKER  
AT LYLES NAMED JAMES OGBURN. JAMES WASNT  
TO RESPONSIVE AT THAT TIME. WITHIN THAT SAME  
TIME PERIOD JAMES ASKED ME IF I WAS A POLICE  
OFFICER AND I TOLD HIM, "NO" AND AFTER THIS JAMES  
A I BECAME MORE OPEN WITH OTHER. JAMES TOLD  
ME THAT ON THE DAY OF PATRICIAS MURDER THAT RONNIE,  
TED'S BROTHER, TED AND ANOTHER WHITE MALE THAT HE  
DIDNT KNOW WERE OUT NEXT TO THE GATE AND PARKING  
LOT TALKING. JAMES SAID THAT THEY TALKED FOR A  
GOOD WHILE. JAMES SAID THIS WAS VERY STRANGE, THAT  
TED WAS NEVER AWAY FROM CUSTOMERS LIKE HE WAS THAT  
DAY AND THAT IT APPEARED TO HIM THAT THEY WERE  
SCHEMING SOMETING. JAMES ALSO SAID THAT TED  
NEVER TOLD HIM WHAT HE WAS DOING BOT THAT DAY JAMES

Robert H. Plummer 5/16/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 8

Det. J.D. Chubb 16 MAY 97

Sergeant D.W. DeBevoise May 16, 97 1735 hrs

6511-52-

SAID THAT TED MADE A SPECIAL EFFORT TO TELL HIM THAT HE WAS LEAVING AND WAS GOING TO MRS WINNERS TO GET SOMETHING TO EAT AND MEET HIS MOTHER AND THEN ON TO WORK AT HIS SECOND JOB. JAMES SAID TED HAD NEVER DID THIS BEFORE. AFTER TED AND RONNIE WERE ARRESTED I WENT TO JAMES AND TALKED TO HIM AGAIN, BUT BEFORE HE TALKED TO ME HE FELT OF MY BODY AND ME IF I WAS WIRED. HE SAID THAT PATRICK PARDEE HAD COME IN THE BUSINESS AND POINTED OUT STOLEN THINGS AND THAT HE THOUGHT I WOULD PROBABLY BE NEXT. HE SAID THAT I WOULD WORK WITH THE LAW TO GET HELP GET MYSELF OUT OF TROUBLE. I ASKED JAMES WHAT HE THOUGHT WAS GOING TO HAPPEN TO TED AND JAMES REPLIED. TED IS GOING TO FRY, HE'S NOT GETTING OUT AND I CANT UNDERSTAND WHY IT TOOK THE LAW SO LONG TO ARREST HIM.

ON JUST ABOUT A DAILY BASIS TED ASKED JAMES AND SOMETIMES ME TO ALTER THE STOLEN MERCHANDISE THAT WE HAD TAKEN. TED ASK JAMES IN MY PRESENCE MANY TIMES TO CUT LUMBER DOWN AND PAINT THE ENDS AND TAKE THE BAR CODES OFF SO THE STOLEN

Robert N. [Signature] 5/16/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 3 of 8

Det. J.D. Church 16 MAY 97

Sergeant R. L. [Signature] 5/16, 97 1735 hrs

(252)-53-

PROPERTY COULD NOT BE IDENTIFIED. I SAW TED INSTRUCT JAMES TO REMOVE NUMBERS FROM DOORS AND SAND THEM AND PAINT OR PRIME OVER THEM SO THEY COULDN'T BE IDENTIFIED. ON OCCASIONS I WOULD ASK JAMES "WHAT ARE YOU DOING," AND JAMES WOULD SAY, YOU KNOW WHAT I'M DOING, TAKING OFF NUMBERS. ON TWO OCCASIONS MR KIMBLE, TED'S FATHER ASKED ME IF THE LUMBER AND OTHER ITEMS WERE STOLEN. I TOLD HIM YES. MR KIMBLE SAID I DON'T CARE AS LONG AS LYLES IS COVERED. HE SAID ROB YOU HAVE TO UNDERSTAND IF YOU GET CAUGHT, THAT'S YOUR PROBLEM, BUT IF LYLES GETS CAUGHT, EVERYBODY IS OUT OF A JOB, OUR MORTGAGES GET PAID FROM LYLES, WE HELP PAY FOR OUR CARS FROM LYLES AND WE HAVE TO COVER OURSELVES. ONE TIME MR KIMBLE ASKED ME TO GET HIM SOME 2" X 4'S X 16' THAT HE NEEDED THEM TO BUILD HIMSELF A 12' X 16' STORAGE BUILDING. ANOTHER TIME MR KIMBLE ASKED ME TO GET HIM ANOTHER GENERATOR LIKE THE ONE TED HAD AND ASKED ME IF THE GENERATOR WAS STOLEN. I TOLD MR KIMBLE THE GENERATORS WERE STOLEN AND HE ASKED IF I COULD GET ANOTHER ONE FOR HIM TO USE IN HIS TRAILER THAT HE HAD BOUGHT FOR

Robert H. Church 5/16/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 4 of 8

Det. J. V. Church 16/MAY/97

Sergeant D. L. DeBary May 16, 97 1735 hrs

(253)-54-



GIRLFRIENDS PARENTS AND ASKED THEM IF THEY KNEW  
 THEIR DAUGHTER WAS GOING WITH A MURDERER.  
 TED CARRIED A PISTOL ON HIS PERSON ABOUT ALL  
 THE TIMES. He said that he would not be arrested  
 I WAS VERY AFRAID OF TED, especially after he had  
 told me that he would kill me. He, Ted came  
 to my house many times and tell me to get  
 up and go with him that he needed my help to  
 steal something. Patrick Pardee would be with him  
 some of the times when he came to pick me up.  
 Ted carried two POLICE SCANNERS with him every  
 time we went out to steal. Ted specially ordered  
 800 MHz SCANNERS after Patrick told him the  
 600 MHz SCANNERS WOULD NOT PICK UP THE SHERIFFS  
 DEPARTMENT. I KNOW AT LEAST 5 OCCASIONS THAT  
 Ted and I along with Patrick heard the Police being  
 dispatched to the location we were stealing things  
 and we were able to get away.  
 SINCE Ted has been arrested MR Kimble, Teds  
 father has asked or told me that my story needed  
 to match Teds in order to destroy Patricks  
 credibility and Ted would be found not guilty.

Albert H. Nich 5/16/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Det. J. D. Church 16 MA 497

Sergeant R. L. Selby May 16, 97 1735 hrs

Page 7 of 8

(256)-56-

MR Kimble also told me that he would help me with my Attorneys costs. He said that he would give me the opportunity to make more money and he did this by letting me deliver storage buildings or lumber for \$50.00 when he or James had been doing this.

The day I met with my attorney at the District Attorneys office and gave a statement I returned to Lyles and MR Kimble approached me and told me that he had received a call and had been told that I was working with the Police. He told me then that it would no longer be in the best interest for me to work at Lyles and not to come back.

Robert H. Nicholls 5/17/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Det. J.D. Church 16 MAY 97

Sergeant D.C. Osberg May 16, 97 1735 hrs

(257)-57-

INTERVIEW

I first met Ted Kimble around eight months ago.  
I saw an ad in the Greensboro newspaper for help  
wanted at Lyles Building Material on Lee Street.  
Ted gave me a job and was willing to let me

SIGNED: Robert H. Nichol DATE: 4/18/97 TIME: 4:42

PAGE ONE OF 6

(244)

work part time when I was able to because I was and still am a student at the University of North Carolina in Greensboro. Ted paid me \$6.50 an hour. Approximately 3 months later Ted asked me if I wanted to make some extra money and told him yes, <sup>at 2:30 am on the phone.</sup> so I went with him to the Brassfield area of Greensboro and helped Ted load two doors that cost about \$2,000.00 each. We also took several windows and made three trips to haul the things away. I remember it was on a Friday night and it was snowing. Ted gave me \$300.00 for helping that night. At first I thought Ted was straight about the windows and doors but Ted kept asking me to go with him and "would come to my home and get me to go with him. Some of the times I would tell Ted I wasn't going and Ted would say "You are going" and show me his pistol. I was afraid of Ted and still am. Ted told me two times if I went to the Police and told them anything that he would kill me. Ted was very intimidating. I can

Robert M. [Signature] 4/18/97  
SIGNATURE OF PERSON PROVIDING STATEMENT

Page 2 of 6

(245)-59-



Remember Ted and I going out 20 times to steal building material. I also remember 3 to 5 additional times that Ted, Patrick Pardee and I went out together and stole building materials and also to Northern Hydraulic where we took go karts and a lawn mower. Ted went by himself to Northern and took 2 large generators. He hid them in bushes and I went back with him two days later and helped him load the generators. Ted had me sold to a guy named Gordy for \$900.00 but when Ted left for a long weekend on the weekend of the ACC tournament he said someone took them from him. Ted's father saw the generators and asked Ted to get one for him. I believe Ted's father knew they were stolen, he had to because Ted's father helped with the books and went through the paperwork. Ted's father also saw all the 2x4's, 2x8's, 2x10's and all the other building material, so he had to know Ted wasn't buying the items. Ted rented a forklift from TriCity on Industrial

Robert H. Michels 4/18/91

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 3 of 6

(246)-60-

↙  
or anyone

Ave and hauled it to the Home Depot At Bensfield to load lumber that we were stealing. Ted would load trailers and leave the forklift at the Home Depot and go back later to get the forklift. Ted was not afraid he would get caught. Ted carried a Glock Pistol with him all the time and told me that if the Police caught him that he would not be taken, that he would not be afraid to use his pistol. I am willing to show all the places Ted, Patrick and I took things from. Ted would sell a lot of the stolen items on his business lot at Lykes Building Material. Ted also would take doors and windows ~~the~~ that he said would meet the specs' on his blueprints for the house he was planning to build for himself.

I had learned about Ted's wife being murdered and had mentioned it to Ted on several occasions. At one point I wanted to learn about the death so I looked up the news articles on a computer at WNCB. Once when we were

Robert H. Miller 4/18/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 4 of 6

(242)-61-

Riding around looking for building material  
 to steal I asked Ted if he had anything  
 to do with his wifes death and he wouldn't  
 say anything, so I asked again and again  
 over a few months and Ted told me "Yes  
 I did" <sup>"I have something to do with it"</sup> and now ~~are~~ you happy. I asked  
 him how he was involved and Ted said  
 "Ask me no questions and I'll tell you no  
 lies". At that point I realized that Ted  
 was involved in his wifes murder. Ted  
 told me he forged his wifes signature on  
 an insurance policy. Ted was also mad  
 that he didn't get any money from that  
 policy and told me that she hadn't taken  
 the physical. Ted would brag and say that  
 if the law had anything that they would  
 have already arrested <sup>him</sup> and that the law was  
 too dumb to figure it out because nothing  
 was taken, but that he had reported some  
 jewelry had been taken but none had been  
 taken. Ted told me that he didn't get along  
 with the Blakelys and that he didn't like them.

Robert A. White 4/18/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 5 of 6

(248)-62-

Earlier this year Ted told me that if Det. J.D. Church didn't quit harassing him that he was going to kill him. He told me that Det. Church had been going around saying things about him, following him and went to his girlfriends parents and told them that their daughter was dating a murderer.

James (Gibson), another employee told me that he thought Ted had something to do with his wife's murder.

This statement I have given today is true and I have given this statement of my own free will after being advised by my attorney to do so. I am also willing to cooperate with the Sheriff's Department, SBI and Greensboro Police Department in any way I can.

Mr Kimble has told me twice that he would help me get the money to pay my attorney fees. He also said that Patrick had given a statement to Detectives and Ted said or told Mr Kimble and Mr Kimble told me that if I told a different story than Patrick that the law would never get a conviction.

Robert M. Lee - 4/18/97

SIGNATURE OF PERSON PROVIDING STATEMENT

Page 6 of 6

(249)-63-

SBI CASE: 1995-03251  
ACTIVITY: February 3, 1997  
VICTIM: Patricia Gail Kimble  
DICTATED: February 4, 1997  
RECEIVED: February 13, 1997  
TYPED: February 13, 1997  
COPIES: (1) Records; (2) SA H. G. Pendergrass;  
(3) SAC J. M. Burns; (4) District Attorney  
H. M. Kimel

---

Louie Mitchell Whidden, W/M/DOB: 12/20/73; Residence: 31  
County Plane Lane, Lynchburg, Virginia 24501, Telephone: 804-  
385-7493; Business: Student, Liberty University, 1971  
University Boulevard, Lynchburg, Virginia 24501, Telephone:  
804-582-2950; (Witness):

---

Louie Whidden was interviewed on February 3, 1997, at the law  
office of Falwell & Yeatts, P.C., Lynchburg, Virginia, telephone  
number 804-528-4579, beginning at 5 p.m. by H. G. Pendergrass  
and Guilford County Sheriff's Department Detective J. D. Church  
and Detective Sergeant D. L. DeBerry. At the request of  
Whidden, also present during the interview were attorneys Jerry  
Falwell, Jr., and F. Patrick Yeatts.

Whidden was recently approached by Ronnie Lee Kimble, white  
male, date of birth January 17, 1972, at Whidden's Lynchburg,  
Virginia, residence and during conversation confessed to Whidden  
that he (Kimble) shot and killed his sister-in-law, victim  
Patricia Gale Kimble. Whidden was interviewed for this purpose.

Whidden stated he is currently attending Liberty University and  
is planning to enter the ministry following graduation. Prior  
to entering Liberty University, Whidden stated, he was a member  
of the U.S. Marine Corps and stationed at the USMC base located  
at Camp Lejeune, North Carolina. While at the Camp Lejeune  
Marine Corps base, Whidden stated, he was assigned to the  
chaplain's office. Whidden stated he completed his obligation  
with the USMC on August 19, 1996. Whidden stated he is  
currently married. Whidden and his wife are the parents of one  
small female child. Whidden further related his wife is  
expecting their second child.

Approximately one year ago and while a member of the USMC,  
Whidden stated he recalls meeting fellow Marine Ronnie Kimble.  
During that time, Whidden stated Kimble was also assigned to a  
base chaplain's office. Whidden stated Kimble's duties included

the delivery of requested supplies to each chaplain's office. After meeting Kimble, Whidden stated, he was befriended by Kimble and recalls on one occasion Kimble telling Whidden about the death of Kimble's sister-in-law. Whidden stated he was told by Kimble that the police suspected Kimble and his brother of the murder. Whidden stated Kimble went on to say that the police wanted to arrest someone for the murder and did not care who they arrested.

After leaving the Marine Corps, Whidden stated, he entered Liberty University to begin his study in pursuit of a career in the ministry. Sometime during the recent past, Whidden stated he recalls receiving a call from Kimble. During the ensuing conversation, Whidden stated Kimble expressed interest in joining Whidden at Liberty University in the Bible institute program. Whidden stated he offered Kimble lodging at his home if and when Kimble decided to visit the Liberty university campus.

On January 24, 1997, Whidden stated Kimble, along with his wife, Kimberly, appeared unexpectedly at Whidden's 31 County Plane Lane, Lynchburg, Virginia, residence. Whidden stated he subsequently invited Kimble and his wife to stay overnight. During this visit, Whidden stated, he was approached on the evening of January 24, 1997, by Ronnie Kimble to speak in private. Whidden stated he suggested they (Whidden/Kimble) go upstairs to talk. Once upstairs, Whidden stated Kimble admitted and confessed to the murder of Kimble's sister-in-law. Whidden stated he was told by Kimble that Whidden was the only person Kimble had told about the murder and began crying. Whidden stated Kimble told Whidden that he (Kimble) had in fact shot his (Kimble's) sister-in-law and that Kimble did not know where the gun was. Whidden stated he was told by Kimble that Kimble had committed the murder purely for "greed." Whidden stated Kimble went on to say that Kimble had been approached by Ronnie Kimble's brother who offered Ronnie money to commit the murder.

During this same conversation, Whidden stated Ronnie Kimble explained that he was struggling with himself over use of the money. At this point, Whidden stated Ronnie Kimble then offered Whidden the money Kimble was to receive from his brother further suggesting Whidden accept the money which Kimble suggested "could better be used for God's work." Whidden stated he immediately refused Kimble's offer further telling Kimble that Whidden considered the money to be "blood money" and strongly

encouraged Kimble turn himself into the authorities. Whidden stated he could not turn himself into the authorities in fear of "getting the chair." Whidden stated Kimble would not agree to turn himself into the authorities with Kimble further explaining he would "kill himself first." Following this, Whidden stated Kimble then asked Whidden if it was a sin to kill himself (Kimble). Whidden stated he attempted to ensure Kimble that Kimble would not go to hell if Kimble committed suicide. Whidden stated he suggested that Kimble not have such thoughts. After confessing to the murder, Whidden stated Kimble asked Whidden, "Do you think any less of me now?" Whidden stated Kimble further told Whidden that Kimble believed "it was her (Patricia Kimble) time to go," whether Kimble "had done it or not." Based on what Kimble had just admitted doing, Whidden stated, he suggested Ronnie Kimble should leave Whidden's residence. After some further thought and not to upset Kimble, Whidden stated, he then agreed to allow Kimble and his wife to remain overnight before leaving the following day.

Following his conversation with Kimble, Whidden stated, he was so concerned about what he had been told by Ronnie Kimble earlier, that Whidden decided to speak with Dr. Wilmington, who is one of Whidden's professors, for guidance and to ascertain what Whidden should do. Whidden stated Dr. Wilmington suggested that Whidden speak with Liberty University attorneys Yeatts and Falwell. As suggested, Whidden stated on January 25, 1997, he met with the above named attorneys to determine what Whidden's legal responsibility was regarding what had been told to him by Ronnie Kimble. Whidden stated he was told by attorneys Falwell and Yeatts that they would investigate the matter and contact Whidden at a later time.

Concerned about Kimble's thoughts of committing suicide, Whidden stated, on January 28, 1997, he decided to travel to the USMC base at Camp Lejeune, North Carolina, where Whidden met with Kimble. On this occasion, Whidden stated he again suggested Kimble should not think of taking his own life but instead, suggested that Ronnie Kimble turn himself into authorities. During this same conversation, Whidden stated, he did tell Kimble that Whidden had talked with an attorney regarding any legal problems that Whidden may now be facing based on Kimble's confessing to Whidden on January 24, 1997, at Lynchburg, Virginia.

At this point, Whidden stated Ronnie Kimble told Whidden that

what Kimble had confessed to Whidden earlier "must have been a dream, because I (Kimble) don't remember doing it now." Whidden stated he responded by saying, "If you (Kimble) get the money from your brother, then you'll know it wasn't a dream." Following this, Whidden stated, he suggested to Ronnie Kimble that if Kimble needed to talk with Whidden further then Kimble should give Whidden a call at his Lynchburg, Virginia, residence. Whidden stated Kimble then told Whidden that he (Kimble) was afraid the police had his telephone "bugged" and would not call from his home telephone.

When asked, Whidden stated the primary reason he came forward with the above-related information was because he felt it was the moral thing to do. In addition, Whidden stated, he felt the murder confessed to him by Ronnie Kimble was premeditated and as a result of the murder, Ronnie Kimble was to receive an amount of money from his brother. Whidden stated that had the murder victim been his wife or sister, he would hope someone would come forward and provide authorities with this type of information. Whidden further stated he would be willing to assist law enforcement in furtherance of the Patricia Kimble murder investigation and would also be willing to testify in court if necessary.

The interview with Mitchell Whidden was concluded at approximately 6:30 p.m. on February 3, 1997.

HGP:ddw





STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

COUNTY OF GUILFORD

SUPERIOR COURT DIVISION

FILE NO. 98 CrS 23485

GUILFORD COUNTY	
<b>FILED</b>	
SEP 2 1998	
AT <u>1056</u>	O'CLOCK <u>a</u> M
BY <u>[Signature]</u>	
CLERK OF SUPERIOR COURT	

STATE OF NORTH CAROLINA

V.

VERDICT

RONNIE LEE KIMBLE

We, the jury, return the unanimous verdict as follows:

1. Guilty of first-degree arson;

or

2. Guilty of second-degree arson;

or

3. Not Guilty

This, the 2<sup>nd</sup> day of SEPTEMBER, 1998.

William Stephen Lewey  
Signature of the Foreperson of the Jury

WILLIAM STEPHEN LEWEY  
Printed Name of the Foreperson



Guilford County Greensboro

GUILFORD COUNTY  
FILED  
Seat of Court

97CrS 39580

In The General Court Of Justice  
Superior Court Division

NOTE: (This form is to be used for (1) felony offense(s), and (2) misdemeanor offense(s), which are consolidated for judgment with any felony offense(s). Use AOC-CR-301 on DWI offense(s).)

SEP 3 1998

STATE VERSUS

Name Of Defendant

Ronnie Lee Kimble

Race

WHITE

Sex

MALE

DOB

07-17-1972

Attorney For State

Richard Panosh

Def. Found Not Indigent  Def. Waived Attorney

Attorney For Defendant

David Lloyd/John Hatfield

G.S. 15A-1301, 15A-1340.13

Appointed  Retained

The defendant  pled guilty to:  was found <sup>9/2/98</sup> guilty by a jury of:  pled no contest to:

File No.(s)	Off	Offense Description	Offense Date	G.S. No.	F/M	CL.
97CrS 39580	51	First Degree Murder	10-09-1995	14-17	F	A

The Court:

1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be          PRIOR  I  III  V  
 2. makes no prior record level finding because none is required for Class A felony, enhanced firearm penalty, violent habitual felon, or drug trafficking offenses. RECORD LEVEL:  II  IV  VI

The Court:

1. makes no written findings because the prison term imposed is:  (a) within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).  (b) for a Class A felony.  (c) for enhanced firearm penalty (G.S. 15A-1340.16A).  (d) for an adjudication as a violent habitual felon. G.S. 14-7.12.  (e) for drug trafficking offenses.  
 2. makes the Findings of Aggravating and Mitigating Factors set forth on the attached AOC-CR-605.  
 3. imposes the prison term pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.  
 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).  
 5. adjudges the defendant to be an habitual felon pursuant to Article 2A of G.S. Chapter 14.  
 6. finds enhanced punishment from a Class 1 misdemeanor to a Class I felony.  G.S. 90-95(e)(3) (drugs);  G.S. 14-3(c) (race).  
 7. finds no Extraordinary Mitigation.

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 minimum term of: _____ months	for a maximum term of: _____ months	in the custody of: _____
<input checked="" type="checkbox"/> Class A Felony: <input checked="" type="checkbox"/> Life Imprisonment Without Parole <input type="checkbox"/> Death (see attached Death Warrant and Certificates)		<input checked="" type="checkbox"/> N.C. DOC. <input type="checkbox"/> Sheriff pursuant to G.S. 15A-1352(b). <input type="checkbox"/> Other _____
<input type="checkbox"/> Class B1 Felony: Life Imprisonment Without Parole		
<input type="checkbox"/> Violent Habitual Felon: Life Imprisonment Without Parole		

The defendant shall be given credit for 520 days spent in confinement prior to the date of this Judgment as a result of this charge(s).

- 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.)

-71-

1. The defendant shall pay the costs.  2. The defendant shall pay a fine of \$ \_\_\_\_\_.
- The Court recommends:**
3. Substance Abuse Treatment Unit pursuant to G.S. 15A-1351(h).  4. Psychiatric and/or psychological counseling.
5. Work Release.
6. Payment as a condition of post release supervision, if applicable, or from work release earnings, if applicable, of the items and amounts set out below.

Fines	Costs	Restitution*	Reimbursement For Attorney Fee & Other	Total Amount Due
-------	-------	--------------	--	------------------

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

The Court further recommends:  
 That the Defendant is to be placed on suicide watch. Further, The Court will also notify the Department of Corrections that this Defendant is manipulative and the image that he presents is sometimes not the person he actually is and the Department of Corrections should be on guard and aware that he may exhibit this type of behavior.

The Court does not recommend:  
 1. Restitution as a condition of post release supervision or work release.  2. Work release.

**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/APEAL ENTRIES**

- 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 the defendant shall have complied with the conditions of release pending appeal.
- 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.

**SIGNATURE OF JUDGE**

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
09-03-1998	Preston Cornelius	<i>[Signature]</i>

**ORDER OF COMMITMENT AFTER APPEAL**

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	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> 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).
- Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605).
- Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317).
- Commitment Information Statement (DC-600).

Date	Signature And Seal

Date Certified Copies Delivered To Sheriff	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Superior Clerk of Court
9.3.98	

AOC-CR-601, Side Two, New 10/94  
 © 1997 Administrative Office of the C... Material opposite unmarked squares to be disregarded as surplusage.

STATE OF NORTH CAROLINA

98CrS 23485

Guilford County Greensboro

Seal of Court GUILFORD COUNTY In The General Court Of Justice Superior Court Division

NOTE: (This form is to be used for (1) felony offense(s), and (2) misdemeanor offense(s), which are consolidated for judgment with any felony offense(s). Use AOC-CR-301 on DWI offense(s).)

FILED

STATE VERSUS

JUDGMENT AND COMMITMENT

Name Of Defendant

Ronnie Lee Kimble

SEP 3 1998

ACTIVE PUNISHMENT

Race: WHITE Sex: MALE DOB: 07-17-1972

AT 4:45 O'CLOCK BY [Signature] (STRUCTURED SENTENCING)

FELONY

G.S. 15A-1301, 15A-1340.13

Attorney For State

Richard Panosh

Def. Found Not Indigent Def. Waived Attorney

CLERK OF SUPERIOR COURT

David Lloyd/John Hatfield

Appointed Retained

The defendant [ ] pled guilty to: [X] was found guilty by a jury of: [ ] pled no contest to:

File No.(s)	Off	Offense Description	Offense Date	G.S. No.	F/M	CL.
98CrS 23485	51	First Degree Arson	10-09-1995	14-58	F	D

The Court:

- [X] 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 0. PRIOR [X] I [ ] III [ ] V RECORD LEVEL: [ ] II [ ] IV [ ] VI
- [ ] 2. makes no prior record level finding because none is required for Class A felony, enhanced firearm penalty, violent habitual felon, or drug trafficking offenses.

The Court:

- [X] 1. makes no written findings because the prison term imposed is: [X] (a) within the presumptive range of sentences authorized under G.S. 15A-1340.17(c). [ ] (b) for a Class A felony. [ ] (c) for enhanced firearm penalty (G.S. 15A-1340.16A). [ ] (d) for an adjudication as a violent habitual felon. G.S. 14-7.12. [ ] (e) for drug trafficking offenses.
- [ ] 2. makes the Findings of Aggravating and Mitigating Factors set forth on the attached AOC-CR-605.
- [ ] 3. imposes the prison term pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
- [ ] 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).
- [ ] 5. adjudges the defendant to be an habitual felon pursuant to Article 2A of G.S. Chapter 14.
- [ ] 6. finds enhanced punishment from a Class 1 misdemeanor to a Class I felony. [ ] G.S. 90-95(e)(3) (drugs); [ ] G.S. 14-3(c) (race).
- [ ] 7. finds no Extraordinary Mitigation.

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 minimum term of: 55 months	for a maximum term of: 75 months	in the custody of: [X] N.C. DOC. [ ] Sheriff pursuant to G.S. 15A-1352(b). [ ] Other
<input type="checkbox"/> Class A Felony: <input type="checkbox"/> Life Imprisonment Without Parole <input type="checkbox"/> Death (see attached Death Warrant and Certificates)		
<input type="checkbox"/> Class B1 Felony: Life Imprisonment Without Parole <input type="checkbox"/> Violent Habitual Felon: Life Imprisonment Without Parole		

The defendant shall be given credit for 0 days spent in confinement prior to the date of this Judgment as a result of this charge(s).

- [ ] The sentence imposed above shall begin at the expiration of all sentences which the defendant is presently obligated to serve.
- [X] 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.)

97CrS 39580- 9/3/98 Guilford County Superior Court, Greensboro, NC

(check all that apply)

- 1. The defendant shall pay the costs.
- 2. The defendant shall pay a fine of \$ \_\_\_\_\_.

The Court recommends:

- 3. Substance Abuse Treatment Unit pursuant to G.S. 15A-1351(h).
- 4. Psychiatric and/or psychological counseling.
- 5. Work Release.
- 6. Payment as a condition of post release supervision, if applicable, or from work release earnings, if applicable, of the items and amounts set out below.

Fines	Costs	Restitution*	Reimbursement For Attorney Fee & Other	Total Amount Due
-------	-------	--------------	--	------------------

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

The Court further recommends:

That the Defendant is to be placed on suicide watch. Further, The Court will also notify the Department of Corrections that this Defendant is manipulative and the image that he presents is sometimes not the person he actually is and the Department of Corrections should be on guard and aware that he may exhibit this type of behavior.

The Court does not recommend:

- 1. Restitution as a condition of post release supervision or work release.
- 2. Work release.

**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/APEAL ENTRIES**

- 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 the defendant shall have complied with the conditions of release pending appeal.
- 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.

**SIGNATURE OF JUDGE**

Date 09-03-1998	Name Of Presiding Judge (Type Or Print) Preston Cornelius	Signature Of Presiding Judge <i>Preston Cornelius</i>
--------------------	--	--

**ORDER OF COMMITMENT AFTER APPEAL**

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	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> 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).
- Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605).
- Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317).
- Commitment Information Statement (DC-600).

Date	Signature And Seal
------	--------------------

Date Certified Copies Delivered To Sheriff 9.3.98	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Superior Clerk of Court
--	---

AOC-CR-601, Side Two, New 10/94  
Serial opposite unmarked squares to be disregarded as surplus.

STATE OF NORTH CAROLINA

No.

97CrS 23654

Guilford County Greensboro

Sealed GUILFORD COUNTY In The General Court Of Justice  
Superior Court Division

NOTE: [This form is to be used for (1) felony offense(s), and (2) misdemeanor offense(s), which are consolidated for judgment with any felony offense(s). Use AOC-CR-301 on DWI offenses.]

FILED

STATE VERSUS

Name Of Defendant

Ronnie Lee Kimble

Race

WHITE

Sex

MALE

DOB

07-17-1972

AT

BY

CLERK OF SUPERIOR COURT

Attorney For Defendant

JUDGMENT AND COMMITMENT  
ACTIVE PUNISHMENT  
FELONY

(STRUCTURED SENTENCING)

G.S. 15A-1301, 15A-1340.13

Attorney For State

Richard Panosh

Def. Found Not Indigent

Def. Waived Attorney

David Lloyd/John Hatfield

Appointed  Retained

The defendant  pled guilty to:  was found guilty by a jury of:  pled no contest to:

File No.(s)	Off	Offense Description	Offense Date	G.S. No.	F/M	CL.
97CrS 23654	52	Conspiracy to Commit Murder	10-09-1995	114-2	F	B2

The Court:

1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 0. PRIOR  I  III  V  
RECORD LEVEL:  II  IV  VI
2. makes no prior record level finding because none is required for Class A felony, enhanced firearm penalty, violent habitual felon, or drug trafficking offenses.

The Court:

1. makes no written findings because the prison term imposed is:  (a) within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).  (b) for a Class A felony.  (c) for enhanced firearm penalty (G.S. 15A-1340.16A).  (d) for an adjudication as a violent habitual felon. G.S. 14-7.12.  (e) for drug trafficking offenses.
2. makes the Findings of Aggravating and Mitigating Factors set forth on the attached AOC-CR-605.
3. imposes the prison term pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).
5. adjudges the defendant to be an habitual felon pursuant to Article 2A of G.S. Chapter 14.
6. finds enhanced punishment from a Class 1 misdemeanor to a Class I felony.  G.S. 90-95(e)(3) (drugs);  G.S. 14-3(c) (race).
7. finds no Extraordinary Mitigation.

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 minimum term of: 135 months	for a maximum term of: 171 months	in the custody of: <input checked="" type="checkbox"/> N.C. DOC. <input type="checkbox"/> Sheriff pursuant to G.S. 15A-1352(b). <input type="checkbox"/> Other
<input type="checkbox"/> Class A Felony: <input type="checkbox"/> Life Imprisonment Without Parole <input type="checkbox"/> Death (see attached Death Warrant and Certificates)		
<input type="checkbox"/> Class B1 Felony: Life Imprisonment Without Parole		
<input type="checkbox"/> Violent Habitual Felon: Life Imprisonment Without Parole		

The defendant shall be given credit for 0 days spent in confinement prior to the date of this Judgment as a result of this charge(s).

- 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.)  
98crS 23485- 9/3/98 Guilford County Superior Court, Greensboro ,NC

- 75 -



(check all that apply)

1. The defendant shall pay the costs.

2. The defendant shall pay a fine of \$ \_\_\_\_\_.

The Court recommends:

3. Substance Abuse Treatment Unit pursuant to G.S. 15A-1351(h).  4. Psychiatric and/or psychological counseling.

5. Work Release.

6. Payment as a condition of post release supervision, if applicable, or from work release earnings, if applicable, of the items and amounts set out below.

Fines	Costs	Restitution*	Reimbursement For Attorney Fee & Other	Total Amount Due
-------	-------	--------------	--	------------------

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

The Court further recommends:

That the Defendant is to be placed on suicide watch. Further, The Court will also notify the Department of Corrections that this Defendant is manipulative and the image that he presents is sometimes not the person he actually is and the Department of Corrections should be on guard and aware that he may exhibit this type of behavior.

The Court does not recommend:

1. Restitution as a condition of post release supervision or work release.  2. Work release.

**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/APEAL ENTRIES**

- 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 the defendant shall have complied with the conditions of release pending appeal.
- 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.

**SIGNATURE OF JUDGE**

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
09-03-1998	Preston Cornelius	<i>Preston Cornelius</i>

**ORDER OF COMMITMENT AFTER APPEAL**

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	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> 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).
- Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605).
- Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317).
- Commitment Information Statement (DC-600).

Date	Signature And Seal
Date Certified Copies Delivered To Sheriff	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Superior Clerk of Court

AOC-CR-601, Side Two, New 10/94  
© 1997 Administrative Office of the Courts. Material opposite unmarked squares to be disregarded as surplusage.

FILED

1998 SEP 11 AM 11:36

NORTH CAROLINA GUILFORD COUNTY, C.S.C. IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
GUILFORD COUNTY BY Da FILE NO. 97CRS-39580; 98CRS23485  
98CRS-23654

STATE OF NORTH CAROLINA )

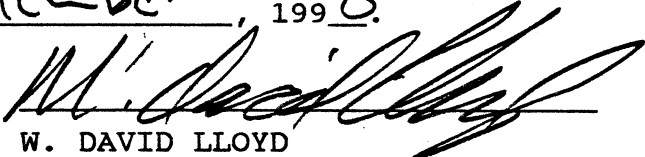
VS. )

NOTICE OF APPEAL

RONNIE LEE KIMBLE, )  
DEFENDANT. )

NOW COMES the defendant, above-named, through counsel,  
and enter notice of appeal from his convictions and  
sentences for murder, conspiracy and arson in the trial  
court on September 3, 1998 before the Honorable Preston  
Cornelius to the Court of Appeals.

This the 11 day of September, 1998.

  
W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

101 South Elm St.  
Greensboro, N.C. 27401  
Telephone: 910-691-0550

JOHN B. HATFIELD, Jr.,  
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street  
Greensboro, NC 27401

py to DA

CERTIFICATE OF SERVICE

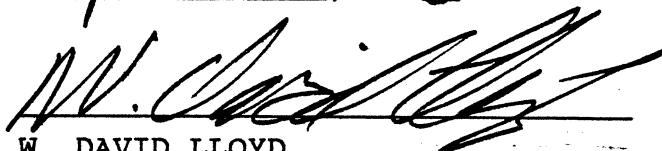
THIS IS TO CERTIFY that the undersigned attorney served a copy of the motions listed below or the attached motion on the State of North Carolina by ( L ) handing DELFOUR COUNTY, C.D.C. mailing the same to:

NOTICE OF APPEAL

BY da

HORACE KIMEL (or representative)  
DISTRICT ATTORNEY  
JUDICIAL DISTRICT 18  
201 South Eugene Street  
Greensboro, North Carolina 27401  
(910) 334-5606

THIS the 11 day of September, 1998.



W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

101 South Elm Street  
Greensboro, North Carolina 27401  
Telephone: (910) 691-0550

APPEARANCE OF COUNSEL

Richard Panosh, Assistant District Attorney, 18th Judicial District, represented the State of North Carolina.

John B. Hatfield and W. David Lloyd, both of Greensboro, represented the Defendant.

TRIAL TESTIMONY

Per Appellate Rule 9(c) the complete stenographic transcript of proceedings in this case, taken by Marsha Garlick and Patricia Yeager, at the August 3, 1998 Criminal Session of Guilford County Superior Court and consisting of the 17 volumes of 3153 pages of trial evidence and one volume of motions hearing consisting of 120 pages is filed contemporaneously with this record.

Guilford County

FILED

SEP 3 1998

In The General Court Of Justice
District Superior Court Division

STATE VERSUS

Name Of Defendant

Ronnie Lee Kimble

Social Security No.

240-47-9667

AT 4:45 O'CLOCK P M
BY [Signature]
CLERK OF SUPERIOR COURT

APPELLATE ENTRIES

Codefendant(s) If Tried Jointly

Additional File No.(s)

97CrS 23654; 98CrS 23485

Name And Address Of Trial Prosecutor

Richard E. Panosh
P.O. Box 10769
Greensboro, NC 27404-0769

Telephone No.

(336) 574-4313

Name And Address Of Defendant's Trial Counsel

W. David Lloyd-Suite 301, 101 S. Elm St.,
Greensboro, NC 27401

Telephone No.

(336) 691-0550

Name And Address Of Court Reporter(s)

Marsha Garlick (8/3/98 - 8/28/98)

P.O. Box 3008
Greensboro, NC 27402

Telephone No.

(336) 574-4344

Name And Address Of Defendant's Appellate Counsel

The Appellate Defender (919) 560-3282
123 West Main Street, Suite 600
Durham, NC 27701

Alternative Counsel to Appellate Defender

Appellate Counsel

W. David Lloyd- Suite 301, 101 S. Elm St.
Greensboro, NC 27401

Telephone No.

(336) 574-4345

Dates Of Trial And Other Hearings

August 03, 1998 thru Sept 03, 1998

John B. Hatfield- 219 W. Washington St.
Greensboro, NC 27401 (336)273-0589

Telephone No.

(336) 691-0550

JUDGE'S INITIAL APPEAL ENTRIES

- 1. The defendant has given Notice of Appeal to the: [ ] N. C. Court of Appeals. [X] N. C. Supreme Court.
2. Defendant's trial counsel was given an opportunity to object to the jury charge out of the hearing or presence of the jury
[ ] did so. [X] did not do so.
3. The defendant shall serve a proposed record on appeal on the State within 35 days, if this is a non-capital case, or 70 days
if this is a capital case, after the court reporter(s) delivers copies of the transcript to defendant's appellate counsel or after
giving or filing notice of appeal if no transcript was ordered.
4. The State shall serve its amendments, objections or proposed alternative record on appeal on the defendant within 21 days
if this is a non-capital case or 35 days if this is a capital case, after service upon it of the defendant's proposed record on
5. Release of the defendant pursuant to G.S. 15A-536 is [X] denied. [ ] allowed upon execution of a secured bond in the
amount of \$ \_\_\_\_\_ and compliance with the following additional conditions:
6. Unless indigent, the defendant shall contract with the court reporter(s) for production of the transcript as provided in the
Rules of Appellate Procedure.
[X] 7. (NOTE: Check in all cases where defendant is indigent.) The defendant is indigent and has requested a transcript and the
appointment of counsel. It is ORDERED that the defendant is allowed to appeal as an indigent and:
a. The Administrative Office of the Courts shall pay the costs of producing a transcript, and of reproducing the record and
the defendant's brief.
b. [X] (1) The appellate defender is appointed to perfect the defendant's appeal. In the event the appellate defender
declines this appointment pursuant to G.S. 7A-486.3(1), the defendant's alternative appellate counsel named
above is appointed to perfect the defendant's appeal.
[ ] (2) The defendant's appellate counsel named above is appointed to perfect the defendant's appeal.
c. The Clerk shall furnish to the defendant's appellate counsel a copy of all documents on file in this case.
d. Unless the parties stipulate that parts of the proceedings shall not be transcribed, the Clerk shall order from the court
reporter(s) a transcript of all parts of the proceedings except:
8. The Clerk shall mail a copy of these Entries to the prosecutor, all appellate counsel, the defendant (if unrepresented), and to
the court reporter(s).

Date

09-03-1998

Name Of Presiding Judge (Type Or Print)

Preston Cornelius

Signature Of Presiding Judge

[Signature]

Original - File Copy - Court Reporter(s) Copy - Defendant's Trial Counsel Copy - Defendant's Appellate Counsel (or defendant if unrepresented) Copy - District Attorney

AOC-CR-350, Rev. 4/97

1997 Administrative Office of the Courts

Material opposite unmarked squares is to be disregarded as surplusage.

(Over)

SEP 04 1998 Dept Atty, State, & Appellate Counsel -80-

**CLERK'S TRANSCRIPT ORDER AND CERTIFICATE**

(NOTE: To be completed ONLY when defendant is indigent.)

**To The Court Reporter(s) Named On The Reverse:**

Prepare and deliver to the parties a transcript of all portions of the proceedings in the above-captioned case **except:**  
 (Specify any portions of the proceedings which need not be transcribed pursuant to a stipulation filed by the parties under Rule 7(a)(2), or pursuant to No. 7.d. on reverse side.)

I certify that I delivered a copy of this Transcript Order to the court reporter(s) on the date shown below:

- personally.
- by mailing it to the reporter(s) at the address(es) shown on the reverse.

Date Clerk's Transcript Order Entered And Filed 09-03-1998	Signature <i>Brenda Finchem</i>
Date Order Delivered To Court Reporter(s), If Different 09-03-1998	<input checked="" type="checkbox"/> Deputy C3 <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

**EXTENSION OF TIME TO PREPARE TRANSCRIPT OR SERVE RECORD**

Pursuant to Rules 7 and 27, N. C. Rules of Appellate Procedure, upon motion of the  defendant  State  
 court reporter, and for good cause shown, it is ORDERED that:

- the time for preparation of the transcript is extended for 30 additional days.
- the time permitted for service of the proposed record on appeal is extended for 30 days.

**NOTE:** The trial court may grant only one extension of time to prepare the transcript or to serve the record on appeal. Neither extension may be for more than 30 days. A motion for any further extension of time must be made in the Appellate Court to which the appeal has been taken. Rules 7(b)(1) and 27(c)(2), N. C. Rules of Appellate Procedure.

Date January 8, 1999	Name Of Judge (Type Or Print) Sanford L. Steelman, Jr.	Signature Of Judge <i>Sanford L. Steelman, Jr.</i>
-------------------------	---	---

**CERTIFICATION**

I certify this Appellate Entries form is a true and complete copy of the original on file in this case.

Date	Signature And Seal
	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court

No. COAP99-83

North Carolina Court of Appeals

\*\*\*\*\*

1999 JUN -7 PM 12: 15

STATE OF NORTH CAROLINA

v

RONNIE LEE KIMBLE

From Guilford  
GUILFORD COUNTY, (97CRS23654, 97CRS39580, 97CRS23485)

BY BOR

\*\*\*\*\*

ORDER

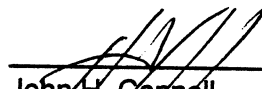
The following order was entered:

The motion filed in this cause on the 3rd day of June 1999 and designated "The Defendant's Motion to Extend Time to File Record" is allowed. Proposed record on appeal shall be served on or before 12 July 1999.

By order of the Court this the 3rd day of June 1999.

The above order is therefore certified to the Clerk of Superior Court Guilford County.

Witness my hand and official seal this the 3rd day of June 1999.

  
\_\_\_\_\_  
John H. Cornell  
Clerk of North Carolina Court of Appeals

CSC Orig  
cc:  
Mr. W. David Lloyd  
Ms. Marsha M. Garlick  
Attorney General

FILED  
99 JUN -3 PM 3: 13  
IN THE OFFICE OF  
CLERK COURT OF APPEALS  
OF NORTH CAROLINA

ASSIGNMENTS OF ERROR

1. The trial court committed reversible error in allowing into evidence hearsay statements of the deceased victim in violation of the defendant's right to confront and cross examine witnesses against him guaranteed under the state and federal constitutions as well as in violation of North Carolina law.

Record pp 25-27.

Evid. T pp 37-43.

Evid. T p 47, lines 21-25; p 48 lines 1-8.

Evid. T pp 80-87.

Evid. T p 146, lines 7-16.

Evid. T p 149, lines 15-18.

Evid. T p 179, lines 24-25.

Evid. T p 209, lines 1-7; p 210, line 1-2.

Evid. T pp 663-674; p 675, lines 21-23.

Evid. T pp 679-684.

Evid. T pp 702-709.

Evid. T p 709, lines 11-24; p 716, lines 5-7.

Evid. T p 805, lines 16-23.

Evid. T p 807, lines 23-25.

2. The trial court committed reversible error in allowing into evidence hearsay statements of codefendant Ted Kimble in violation of the defendant's state and federal constitutional rights to confront and cross examine the witnesses against him as well as in violation of North Carolina law.

Record pp 20-24.

Evid. T p 142, lines 2-19.

Evid. T p 174, lines 1-6.

Evid. T p 211, lines 5-10; p 213, lines 7-10.

Evid. T p 620, lines 18-25; p 621, lines 1-15.

Evid. T p 774, lines 20-21.

Evid. T p 801, lines 19-25; p 802, line 1.

Evid. T p 805, lines 16-23.

Evid. T p 938, lines 10-19.

Evid. T pp 954-956.

Evid. T p 957, lines 7-8.

Evid. T p 993, lines 18-25.

Evid. T p 1006, line 25; p 1007, line 1.

Evid. T p 1025, lines 19-25; p 1026, lines 1-18.

Evid. T p 1031, line 25; p. 1032, 1-12.

Evid. T p 1068, lines 7-15.

Evid. T p 1121, lines 12-14.

Evid. T p 1178, lines 12-13.

Evid. T p 1383, lines 13-19.

Evid. T p 2658, lines 8-9.



3. The trial court committed error in allowing the introduction of the report of the SBI ballistics expert on direct examination.

Evid. T p 502, lines 14-17.

4. The trial court committed error in allowing the introduction of two reports of the SBI serology expert on direct examination.

Evid. T p 511, lines 7-9.

5. The trial court committed reversible error in allowing in testimony concerning instances of alleged insurance fraud on the part of the codefendant Ted Kimble.

Evid. T p 605, lines 22-25; p. 606, lines 1-15, lines 20-23; pp 607-164.

6. The trial court committed error in allowing the introduction of the report of the SBI hair identification expert on direct examination.

Evid. T p 925, lines 3-5.

7. The trial court committed error in allowing the introduction of the report of the SBI arson expert on direct examination.

Evid. T p 929, lines 8-11.

8. The trial court committed reversible error in denying the defendant's right to full and effective cross examination and confrontation under the state and federal constitutions and the rules of evidence by not allowing the defendant to pose a series of questions on cross examination to the prosecution's lead detective.

Evid. T p 1326, lines 5-6.

Evid. T p 1334, line 25; p 1335, line 1.

Evid. T p 1335, lines 17-24.

Evid. T p 1336, lines 12-13.

Evid. T p 1336, lines 17-21.

Evid. T p 1376, lines 2-4.

9. The trial court committed reversible error in allowing in prior statements of the prosecution's main witness, Mitch Whidden, which did not corroborate his testimony and contained

improper comments which would not have been admissible even on direct testimony.

Record pp 47-50.

Evid. T p 1663, lines 4-5.

Evid. T p 1676, lines 1-3.

10. The trial court committed reversible error in allowing publication of prior statements of a critical prosecution witness, Rob Nichols, which did little to corroborate his testimony and contained improper comments which would not have been admissible even on direct testimony.

Record pp 28-46.

Evid. T p 1691, lines 4-11.

11. The trial court erred in sustaining prosecution objections to leading questions of the defendant concerning whether he and his codefendant brother did various conspiratorial acts together in violation of the defendant's right to present a full and effective denial of the charges against him.

Evid. T p 2053, lines 20-25.

Evid. T p 2054, lines 18-20.

Evid. T p 2055, lines 1-3.

Evid. T p 2055, lines 19-23.

Evid. T p 2056, lines 13-17.

12. The trial court erred in allowing the prosecutor to ask the defendant to identify the pictures from his jail cell of a female jailor whom he was alleged to have had an affair with after the defendant's wife had already testified that she had filed for divorce and he had acknowledged that fact.

Evid. T p 2236, lines 13-25.

13. The trial court erred in allowing the prosecutor to question the defendant about whether he was aware his parents had told him they were claiming to be living in his trailer so that his codefendant brother could fraudulently claim the higher living expenses of living in the parents' house on his insurance.

Evid. T p 2267, lines 17-25; p 2268, lines 1-18.

14. The trial court committed reversible error in allowing the testimony on collateral matters of the defendant's former girlfriend who testified she had been coerced into an abortion by the defendant and his codefendant brother after she had been

impregnated by the defendant when she was 16 years old and the defendant's stalking of her when they broke up.

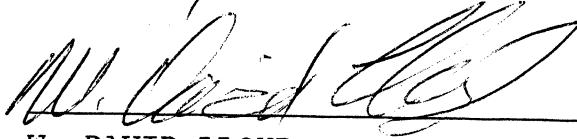
Evid. T p 2565, lines 12-13.

Evid. T p 2572, lines 12-14.

CERTIFICATE OF SERVICE

I hereby certify that a copy of Defendant-Appellant's Proposed Record on Appeal has been duly served by hand delivery upon Richard Panosh, Assistant District Attorney, District Attorneys Office, Courthouse, Greensboro, North Carolina 27401.

This the 12 day of July, 1999.



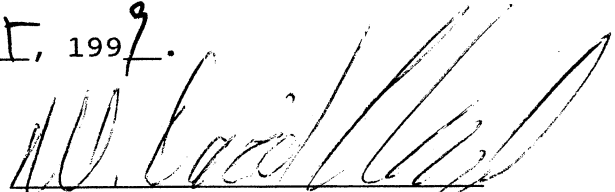
W. DAVID LLOYD  
Attorney for the Defendant

STIPULATION AND SETTLEMENT OF RECORD ON APPEAL

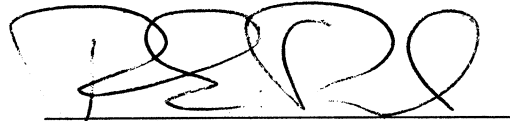
It is hereby stipulated and agreed by all parties to this appeal that the foregoing constitutes the agreed Record on Appeal.

It is further agreed and stipulated that the complete stenographic transcript of the evidence in the trial tribunal, constituting the 17 volumes of 3153 pages of trial evidence and one volume of motions hearing consisting of 120 pages, is an accurate transcription of the trial proceedings shall be a part of the Record on Appeal and be filed with the Clerk of the North Carolina Court of Appeals when this appeal is docketed.

This the 10 day of August, 1999.



W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT



RICHARD PANOSH  
ASSISTANT DISTRICT ATTORNEY

CERTIFICATE OF SETTLEMENT

Counsel for the Defendant-Appellant certifies as follows:

Defendant-Appellant heretofore served his Proposed Record on Appeal by hand delivery on the State-Appellee on the 12 day of July, 1999.

and :

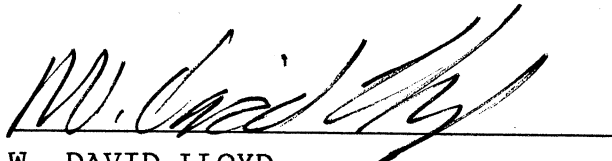
(1) The record on Appeal has been settled by Stipulation;

(2) The Record on Appeal has been settled because the time has expired for the State Appellee to serve upon the Defendant-Appellant a Notice of Approval of the Proposed Record on Appeal or objections, amendments or alternative proposed Record on Appeal pursuant to Rule 11, Rules of Appellate Procedure.

Based upon the foregoing, Defendant-Appellants Proposed Record on Appeal constitutes the Record on Appeal in this case as a matter of law. Rule 11(b), Rules of Appellate Procedure.

A copy of this Certificate has been served this day by mail upon the District Attorney representing the State in this case.

This the 10 day of August, 1999.



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ATTORNEY FOR THE DEFENDANT

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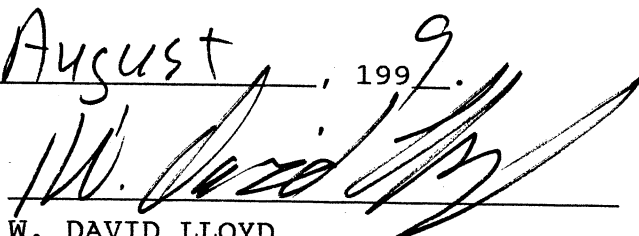
ATTORNEYS FOR THE APPELLEE

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that the undersigned attorney served a copy of the foregoing record on appeal on the State of North Carolina by ( )handing (X) first class mailing the same to:

MIKE EASLEY  
ATTORNEY GENERAL  
N.C. DEPARTMENT OF JUSTICE  
POST OFFICE BOX 629  
RALEIGH, NORTH CAROLINA 27602

THIS the 10 day of August, 1999.

  
\_\_\_\_\_  
W. DAVID LLOYD  
ATTORNEY FOR THE DEFENDANT

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