

GUILFORD County

In The General Court Of Justice
District Superior Court Division

GUILFORD COUNTY
FILED
JAN 28 1999
AT 350
BY [Signature]
CLERK OF SUPERIOR COURT

STATE VERSUS

Name Of Defendant

THEODORE MEADE KIMBLE

M. TRANSCRIPT OF PLEA

DOB

12-08-1969

Age

29

Highest Level Of Education Completed

12

G.S. 15A-1022

The defendant, having offered a plea of GUILTY and being first duly sworn, makes the following answers to the questions set out below:

Answers

- 1. Are you able to hear and understand me? (1) yes
2. Do you understand that you have the right to remain silent... (2) yes
3. At what grade level can you read and write? (3) 12th
4. (a) Are you now under the influence of alcohol... (4a) no
(b) When was the last time you used or consumed any such substance? (4b) over the weekend
5. Have the charges been explained to you... (5) yes
6. (a) Have you and your lawyer discussed the possible defenses... (6a) yes
(b) Are you satisfied with your lawyer's legal services? (6b) yes
7. (a) Do you understand that you have the right to plead not guilty... (7a) yes
(b) Do you understand that at such trial you have the right to confront... (7b) yes
(c) Do you understand that by your plea(s) you give up these... (7c) yes
8. Do you understand that, if you are not a citizen... (8)
9. (if applicable) Do you understand that upon conviction... (9a)
(b) Structured Sentencing cases... (9b) yes
10. Do you understand that you are pleading (guilty) (no contest)... (10) yes
11. Do you now personally plead (guilty) (no contest)? (11) YES
12. (a) (if applicable) Are you in fact guilty? (12a) 1995 Offenses yes
(b) (if applicable) Do you understand that upon your plea... (12b) N/A
(c) (if applicable) (Alford Plea) (12c1) 1998 Offenses
(2) Do you understand that upon your "Alford Plea" you will be treated... (12c2) YES
13. Have you agreed to plead as part of a plea arrangement? (13) yes

14. (if applicable) The prosecutor and your lawyer have informed the Court that these are all the terms and conditions of your plea: (See attachment for additional plea arrangements, including voluntary dismissals.) Answers

The State of North Carolina agrees to accept a plea to Second Degree Murder in 97CRS39581. Count 1 of 97CRS23656 shall be dismissed. In return, the Defendant agrees to enter guilty pleas to Second Degree Murder in 97CRS39581, Conspiracy to Commit First Degree Murder in 97CRS23656, First Degree Arson in 98CRS23486, and eight counts of Solicitation to Commit First Degree Murder in Bills of Information which are to be filed this date. The Defendant agrees and understands that he will receive consecutive sentences in each of these cases. Further, the Defendant agrees to return the ashes of Patricia Blakley Kimble to the Blakley family. The State agrees to dismiss any Breaking and Entry or Larceny indictments against Theodore Meade Kimble which are presently pending in Guilford County.

The parties stipulate that the Defendant is a level II offender, and that under the Structured Sentencing Act the maximum sentence he can receive for each B-2 felony is 254 months, for each Class C felony 159 months, and for the Class D felony 108 months.

- (a) Is this correct as being your full plea arrangement? (14a) yes
- (b) Do you now personally accept this arrangement? (14b) yes
15. (Other than the plea arrangement between you and the prosecutor) has anyone made any promises or threatened you in any way to cause you to enter this plea against your wishes? (15) no
16. Do you enter this plea of your own free will, fully understanding what you are doing? (16) yes
17. Do you have any questions about what has just been said to you or about anything else connected with your case? (17) no

I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated above, if any, are accurate.

<b>SWORN AND SUBSCRIBED TO BEFORE ME</b>		Date <u>1/28/99</u>
Date <u>1/28/99</u>	Signature <u>[Signature]</u>	Signature Of Defendant <u>X [Signature]</u>
<input checked="" type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court		Name Of Defendant (Type Or Print) <u>Theodore Mead Kimble</u>

CERTIFICATION BY LAWYER FOR DEFENDANT		
As lawyer for the defendant named above, I hereby certify that the conditions stated above, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself. I further certify that I have fully explained to the defendant the nature and elements of the charge(s) to which the defendant is pleading.		
Date <u>1/28/99</u>	Name Of Lawyer For Defendant (Type Or Print) <u>H.W. Zimmerman Jr</u>	Signature Of Lawyer For Defendant <u>[Signature]</u>

CERTIFICATION BY PROSECUTOR		
As prosecutor for this Prosecutorial District, I hereby certify that the conditions stated above, if any, are the terms agreed to by the defendant and his/her lawyer and myself for the entry of the plea by the defendant to the charge(s) in this case.-		
Date <u>1/28/99</u>	Name Of Prosecutor (Type Or Print) <u>Richard E. Parosh</u>	Signature Of Prosecutor <u>[Signature]</u>

**PLEA ADJUDICATION**

Upon consideration of the record proper, evidence presented, answers of defendant, and statements of the lawyer for the defendant and the District Attorney, the undersigned finds:

1. That there is a factual basis for the entry of the plea.
2. The the defendant is satisfied with his/her lawyer.
3. That the defendant is competent to stand trial and that the plea is the informed choice of the defendant and is made freely, voluntarily and understandingly.

The defendant's plea is hereby accepted by the Court and is ordered recorded.

Date <u>1/28/99</u>	Name Of Presiding Judge (Type Or Print) <u>Peter M. McHugh</u>	Signature Of Presiding Judge <u>[Signature]</u>
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Name Of Defendant

THEODORE MEADE KIMBLE

PLEAS

Plea*	File Number	Count No.(s)	Offense(s)	Date Of Offense	G.S. No.	F/M	CL	Maximum Punishment
G	97CRS39581	1	SECOND DEGREE MURDER	10-09-1995	14-17	F	B-2	415
G	97CRS23656	2	CONSPIRACY: First Degree Murder	10-09-1995	C.L. & 14-2.4	F	B-2	415
G	98CRS23486	1	FIRST DEGREE ARSON	10-09-1995	C.L. & 14-58	F	D	199
G	99CRS 23241	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23242	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23243	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23244	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23245	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23246	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23247	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261
G	99CRS 23248	1	SOLICITATION : First Degree Murder	11-04-1998	CL. & 14-2.6	F	C	261

GUILFORD COUNTY  
**FILED**  
JAN 28 1999  
AS 350 yoo p  
BY [Signature]  
CLERK OF SUPERIOR COURT

NORTH CAROLINA - Guilford County  
**CERTIFIED A TRUE COPY OF ORIGINAL ON FILE IN THIS OFFICE.**  
January 12, 2004  
[Signature]  
CLERK OF SUPERIOR COURT

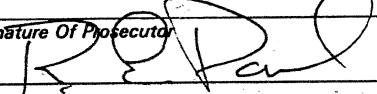
*G = Guilty NC = No Contest	<b>TOTAL MAXIMUM PUNISHMENT</b>	3177 mos.
	<b>MANDATORY MINIMUM FINES &amp; SENTENCES (if any)</b>	B2: 130 mos., D: 53 mos., C: 80 mos.

**DISMISSALS PURSUANT TO PLEA ARRANGEMENT**

File No.	Count No.(s)	Offense(s)
97CRS23656	1	Second Degree Arson
97CRS23663	1 & 2	Breaking and Entry and Larceny
97CRS23661	1 & 2	Breaking and Entry and Larceny
97CRS23657	1 & 2	Breaking and Entry and Larceny
97CRS23671	1	Breaking and Entry
97CRS23675	1 & 2	Breaking and Entry and Larceny

**CERTIFICATION BY PROSECUTOR**

The undersigned prosecutor enters a dismissal to the above charges pursuant to a plea arrangement shown on the Transcript Of Plea attached.

Date 1/28/99	Name Of Prosecutor (Type Or Print) Richard E Panosh	Signature Of Prosecutor 
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