



# United States Department of the Interior

## BUREAU OF INDIAN AFFAIRS

Cherokee Agency  
Cherokee, North Carolina 28719


IN REPLY REFER TO.

Michell Hicks, Principal Chief  
Eastern Band of Cherokee Indians  
P.O. Box 455  
88 Council House Loop Cherokee, NC 28719

Dear Chief Hicks:

Attached is signed Tribal Council Resolution/Ordinance No. **368** introduced on **Oct. 13, 2014** and **Passed on Oct.13, 2014**. Should you have any questions regarding this matter please contact me at (828) 497-3360.

Sincerely,

  
Superintendent

PASSED

Cherokee Council House  
Cherokee, Qualla Boundary (NC)

Date: OCT 13 2014

RESOLUTION NO. 368 (2014)

WHEREAS, the Eastern Band of Cherokee Indians (EBCI or Tribe) has the sovereign authority to exclude persons from lands of the EBCI in order to protect integrity, law and order on Tribal lands and territories or the welfare of its members of the Tribe; and

WHEREAS, the Tribal Council has codified its authority to exclude persons from the lands of the EBCI at Chapter 2 of the Cherokee Code; and

WHEREAS, Laquan Ellis Harding is not a member of the Eastern Band of Cherokee Indians and is currently ordered to abide by a Writ of Emergency Temporary Exclusion with a duly served notice to appear in Tribal Council for a further determination (see attached packet); and

WHEREAS, Tribal Council has good reason to believe that Laquan Ellis Harding is a threat to the integrity, law and order on Tribal lands and territory or the welfare of its members by engaging in illegal drug activities; and

WHEREAS, Laquan Ellis Harding has an extensive criminal history of drug related charges; and

WHEREAS, the Cherokee Indian Police Department has an open investigation involving Laquan Ellis Harding in an incident at his residence which consists of the suspicious death of a 21 year old female and a number of controlled substances (narcotics) and drug paraphernalia located on the premises; and

WHEREAS, Laquan Ellis Harding was charged with the related drug charges which occurred at his residence and are pending in Jackson County District Court; and

WHEREAS, Tribal Council believes that the threat to this Tribe will diminish if Laquan Ellis Harding is not allowed to remain on lands owned by or held in trust for the Eastern Band of Cherokee Indians.

NOW THEREFORE, BE IT RESOLVED by the Annual Council, in Council assembled, with a quorum present and with the number of votes required by Tribal law that Laquan Ellis Harding is hereby **permanently** excluded from all Tribal lands and IS

HEREBY NOTIFIED AND ORDERED TO VACATE ALL TRIBAL LANDS and to remove all personal property from Tribal lands within 48 hours from the date this resolution is ratified. Any personal property remaining on Tribal lands after that period shall become the property of the Tribe.

BE IT FURTHER RESOLVED that if Laquan Ellis Harding is found on Tribal lands at any time after the effective date of this resolution, he shall be in violation of Tribal law and of a lawful order of Tribal Council and a law enforcement officer shall arrest him and take other appropriate legal action against him.

BE IT FURTHER RESOLVED that this exclusion prohibits Laquan Ellis Harding from entering on or being present on Tribal lands for any purpose EXCEPT AS REQUIRED BY A SUBPOENA issued by the Cherokee Tribal Court or Tribal Council.

BE IT FINALLY RESOLVED that this resolution shall be effective upon ratification by the Principal Chief.

*Submitted by: Albert Rose, Birdtown Tribal Council Representative*

Cherokee Indians Eastern Band, North Carolina, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 2 EXCLUSION POWERS OF TRIBE >>

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## Chapter 2 EXCLUSION POWERS OF TRIBE <sup>[1]</sup>

Sec. 2-1. Power to exclude.

Sec. 2-2. Tribal Council proceedings.

Sec. 2-3. Notice and legal defense rights.

Sec. 2-4. Terms of exclusion.

Sec. 2-5. Votes required for exclusion.

Sec. 2-6. Enrolled members; permanent exclusion.

Sec. 2-7. Request for exclusion action.

Sec. 2-8. List of convictions for which exclusion is a punishment.

Sec. 2-9. Emergency temporary exclusion.

### Sec. 2-1. Power to exclude.

- (a) The Tribal Council shall have the power to exclude enrolled Tribal members for sexual offenses against minors and for convictions for trafficking in controlled substance under Chapter 14 of the Cherokee Code. Tribal Council shall also have the authority to exclude enrolled Tribal members for violations of state and federal law where such offenses would constitute trafficking in controlled substance under the Cherokee Code if committed within the territory of the Eastern Band of Cherokee Indians.
- (b) The Tribal Council shall have the power to exclude other persons from Cherokee trust lands when necessary to protect the integrity and law and order on Tribal lands and territory or the welfare of its members.
- (c) The Tribal Council shall have the power to exclude from or prohibit operation of a business on Cherokee trust lands or specific locations thereon, if the business threatens the health, safety or welfare of Tribal members or Tribal natural resources due to spills, accidents, illegal dumping, or other unauthorized releases of hazardous materials into the environment.

Notwithstanding any other provision of law, the Tribe reserves its sovereign immunity and shall not be liable for claims of loss, damage or injury resulting from exclusions.

*(Ord. No. 92, 5-5-1994; Ord. No. 271, 7-24-1996; Ord. No. 630, 2-1-2007; Ord. No. 589, Art. III, 2-8-2007)*

### Sec. 2-2. Tribal Council proceedings.

The Tribal Council shall exercise its power to exclude persons from Cherokee trust lands only in open session of the Council. Nothing in this section shall prohibit the issuance of Writs of Emergency Temporary Exclusion under 2-9 or the exclusion of persons under 2-3(f).

*(Ord. No. 92, 5-5-1994; Ord. No. 589, Art. III, 2-8-2007)*

### Sec. 2-3. Notice and legal defense rights.

- (a) The Tribal Council shall provide reasonable notice to all persons over whom it exercises the power of exclusion, together with hearing before the Tribal Council.





**Sec. 2-7. Request for exclusion action.**

The persons with standing to bring a request to the Tribal Council for an exclusion action against a person who is subject to this Chapter are:

- (1) The Principal Chief.
- (2) The Vice Chief.
- (3) Members of the Tribal Council.
- (4) The Chief of the Cherokee Police Department.
- (5) The Tribal Prosecutor.

(Ord. No. 271, 7-24-1996; Ord. No. 757, 5-16-2001; Ord. No. 589, Art. III, 2-8-2007)

**Sec. 2-8. List of convictions for which exclusion is a punishment.**

The Clerk of Cherokee Court shall semiannually provide Tribal Council with a list of all persons convicted of crimes during the preceding six months in which banishment is provided by statute. The list shall be transmitted no later than January 31, 2007 and every six months thereafter. The initial list shall include all persons convicted since April 1, 2000.

(Ord. No. 589, Art. III, 2-8-2007)

**Sec. 2-9. Emergency temporary exclusion.**

(a) *Definitions.* For the purpose of this section the following definitions shall apply:

- (1) *Officer:* A sworn law enforcement officer of the Cherokee Police Department or any other law enforcement officer with the responsibility of enforcing Cherokee Law under authority of this code or a mutual aid agreement.
- (2) *Cherokee Officer:* A sworn law enforcement officer of the Cherokee Police Department only.
- (3) *Drug Offense:* Any act which would violate the provisions of Article XVI of Chapter 14 of the Cherokee Code committed within the territorial jurisdiction of the Eastern Band of Cherokee Indians, whether or not the Cherokee Court has jurisdiction over the individual committing the offense. Considering all appropriate aggravating factors which may be present, the term "Drug Offense" shall not include any act which would be punished as a class D offense under Cherokee law.
- (4) *Non-member:* Any person not officially enrolled as a tribal member in the Eastern Band of Cherokee Indians
- (5) *Designated Official:* An individual designated by Cherokee Law to enforce the provisions of this section by issuing Writs of Emergency Temporary Exclusion. Any magistrate of the Cherokee Court shall be a designated official for the purposes of this Chapter.
- (6) *Writ of Emergency Temporary Exclusion (Writ):* A legally binding order issued by the designated official exercising the power of exclusion of Tribal Council excluding a non-member from the Cherokee Trust lands. The Writ shall clearly state on its face the date, time and location of the next scheduled Tribal Council session. Unless renewed by a vote of the Tribal Council in open council, the Writ shall expire at the end of the next regularly scheduled Tribal Council meeting following its issuance.

(b) When a Law Enforcement Officer has probable cause to believe that a non-member has committed a Drug Offense, the officer shall bring the non-member before the designated

official without unnecessary delay to determine whether a Writ of Emergency Temporary Exclusion is necessary to protect the integrity and law and order on Tribal lands and territory or the welfare of its members. The commission of any Drug Offense by a non-member shall constitute a per se threat to the integrity and law and order on Tribal lands and territory or the welfare of its members.

- (c) The officer shall complete a sworn, written application for Writ of Emergency Temporary Exclusion. The application shall contain a written statement of the essential facts constituting the Drug Offense. If the application establishes probable cause to believe that a Drug Offense has been committed by a non-member, the designated official must issue Writ of Emergency Temporary Exclusion. Without exception, a copy of the application and Writ and any appropriate information considered by the Designated Official shall be transmitted to the English Clerk of Tribal Council no later than the beginning of the next scheduled Tribal council or 72 hours after the application was considered, whichever is sooner.
- (d) Any Cherokee Officer shall be authorized to execute a Writ of Emergency Temporary Exclusion upon a named non-member. The Cherokee Officer shall execute the Writ by serving a copy of the Writ and application upon the non-member and transporting the non-member to any location outside the territorial jurisdiction of the Eastern Band of Cherokee Indians.
- (e) The issuance and execution of a Writ of Emergency Temporary Exclusion shall be independent of any criminal charges filed against the non-member in Cherokee Court or any other jurisdiction.
- (f) Regardless of whether a writ is issued, the non-member shall be given notice of the next scheduled meeting of Tribal Council and the application and writ shall be placed upon the agenda. A decision by the Designated Official regarding probable cause shall not be binding on Tribal Council and hearing before Council shall require a de novo review of all appropriate facts and determinations. If no Writ is issued upon application, the Tribal Council may review the facts and hold a proceeding for non-emergency exclusion. At the designated meeting or any subsequent scheduled meeting, Tribal Council may renew the Writ until the next scheduled session, complete the process of formal exclusion under this chapter, or decline to take further action.
- (g) The requirements of Cherokee Code Sections 2-2, 2-3, 2-4, 2-5, and 2-7 shall not apply to Writs of Temporary Emergency Exclusion issued under this section, but shall apply to all subsequent proceedings before Council.

(Ord. No. 589, Art. III, 2-8-2007)

## FOOTNOTE(S):

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**Cross reference—***Civil procedure, ch. 1; exclusion or rejection of individuals for Tribal gaming, § 16-9.01 et seq.; enrollment, ch. 49; Tribal government, ch. 117. (Back)*



## **CHEROKEE INDIAN POLICE DEPARTMENT**



October 6, 2014

To: Eastern Band Cherokee Indian Tribal Counsel

Ref: Laquan Ellis Harding (Banishment)

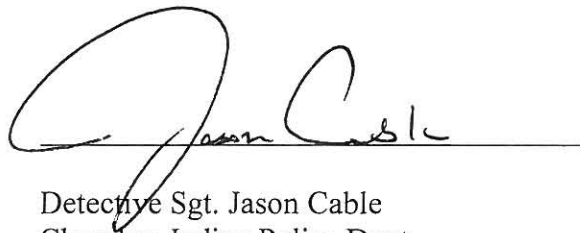
The Cherokee Indian Police Department has an open investigation involving Mr. Laquan Ellis Harding (DOB 8-13-1976) of an incident which occurred on September 16, 2014.

Mr. Laquan Harding resides at 1586 Olivet Church Road, Whittier NC 28789. The residence is located in Jackson County on the boundary of the Eastern Band of Cherokee Indian Reservation.

The investigation consists of the suspicious death of a 21 year old female, which occurred at Mr. Harding's residence. During the investigation, a search warrant was issued and executed on the residence of Mr. Harding. While searching the residence for evidence which could possibly help determine the untimely death of the female, a number of controlled substances (narcotics) and drug paraphernalia were located on the residential premises in which Mr. Harding resided.

Mr. Harding was charged with the related drug charges located at Mr. Harding's residence and are pending in Jackson County District Court. Also, Mr. Harding has an extensive criminal history of drug related charges.

Sincerely,



Detective Sgt. Jason Cable  
Cherokee Indian Police Dept.  
Cherokee, NC 28719

## EASTERN BAND OF CHEROKEE INDIANS

W. \_\_\_\_\_  
lication No (if applicable)

## Tribal Council

## EASTERN BAND OF CHEROKEE INDIANS VERSUS

Name of Individual

LAWAN ELLIS HARDING

Non-Member

☒ Yes

Race

BIK

Sex

M

DOB

8-13-1976

WRIT OF EMERGENCY  
TEMPORARY EXCLUSION

## FINDINGS

Location of Incident

Olivet Church Rd  
1586 Apt # B2 Witter NC 27589

Date of Incident

9-17-14

Time of Incident

06:47 AM

CIPD Case Number

1409161751BC

I, the undersigned have reviewed the Application for Writ of Emergency Temporary Exclusion and have determined that probable cause exists that on or about the date of offense shown and in the location named above, the non-member individual named above did commit a Drug Offense, as defined in C.C. §2-9, and thereby constitutes a treat to the integrity and law and order on Tribal lands of the Eastern Band of Cherokee Indians and territory or welfare of its members.

## Drug Statute

## Offense

## WRIT

## TO THE PERSON NAMED ABOVE

Under the authority of the Laws of the Eastern Band of Cherokee Indians, you are ordered to leave the territorial jurisdiction of the Eastern Band of Cherokee Indians and not to return until permitted by the Tribal Council of the Eastern Band of Cherokee Indians. This application and Writ will be placed on the agenda of Tribal Council on the date and time showed below. You may appear at this hearing where Tribal Council will review all facts and determinations in this matter.

## TO ANY CHEROKEE OFFICER

Under the authority of the Laws of the Eastern Band of Cherokee Indians, you are hereby ordered to execute this Writ of Emergency Temporary Exclusion by serving a copy of this Writ and Application upon the person named above and transporting this Non-Member to any point outside the territorial jurisdiction of the Eastern Band of Cherokee Indians. This is in addition to any criminal charged filed against the person named above. If this person is found within the territorial jurisdiction of the Eastern Band of Cherokee Indians after the execution of this Writ, they are to be taken into custody and are to be charged in Federal and/or Tribal Court.

Date To Appear

10-13-14

Time To Appear

11:30

☒ AM ☐ PM

Date Of Order

Place To Appear

Council House

Cherokee, Qualla Boundary (NC)

Signature

## RETURN OF SERVICE

I certify that was received and served on the defendant as follows:

Date Received

SEPT. 17, 2014

Date of Return

SEPT. 18, 2014

Officer Making Return

D. VELEZ 781

TC-002, TEMP NEW 03/07

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## EASTERN BAND OF CHEROKEE INDIANS

Tribal Council



Date and Time of Application

## EASTERN BAND OF CHEROKEE INDIANS VERSUS

Name of Individual

Laguan Ellis Harding

Non-Member

☐ Yes ☒ No

Race

BIK

Sex

M

DOB

8/13/76

Location of Incident

1586 Ant # B2 Direct Church Rd.

Date of Incident

9-17-14

Time of Incident

06:47

CIPD Case Number

1409161751BC

3:54 APPLICATION FOR WRIT OF  
TEMPORARY EMERGENCY EXCLUSION

I, the undersigned, upon information and belief, allege that on or about the date of offense shown and in the location named above, the non-member individual named above did commit a Drug Offense, as defined in C.C. §2-9, and thereby constitutes a threat to the integrity and law and order on Tribal lands of the Eastern Band of Cherokee Indians and territory or welfare of its members, by:

- ☒ [C.C. 14-95.5(a)] Possessing a controlled substance classified in schedule I, II, III, IV, and V, specifically Oxycodone Hydrochloride & Alprazolam (Less than 100 units)
- ☐ [C.C. 14-95.5(b)] Possessing a controlled substance, specifically more than one-half ounce of marijuana or more than one-twentieth of an ounce of hashish (Aggravated Possession of Marijuana).
- ☒ [C.C. 14-95.5(c)] Possessing a controlled substance, specifically less than one-half ounce of marijuana or less than one-twentieth of an ounce of hashish (Simple Possession of Marijuana). **MUST HAVE AGGRAVATING FACTORS**
- ☐ [C.C. 14-95.6(b)] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a controlled substance classified in schedule I, II, III, IV, and V, specifically
- ☐ [C.C. 14-95.6(c)] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a controlled substance classified in schedule VI.
- ☐ [C.C. 14-95.6(d)] Manufacturing Methamphetamine.
- ☐ [C.C. 14-95.7] ☐ Manufacturing ☐ Selling or delivering ☐ Possessing with intent to sell or deliver a counterfeit controlled substance.
- ☐ [C.C. 14-95.8(a)] Possessing an immediate precursor chemical with intent to manufacture a controlled substance; or possess or distribute an immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical will be used to manufacture a controlled substance.
- ☐ [C.C. 14-95.8(b)] Possessing an immediate precursor chemical with intent to manufacture methamphetamine; or possess or distribute an immediate precursor chemical knowing or having a reasonable cause, to believe that the immediate precursor chemical will be used to manufacture methamphetamine.
- ☐ [C.C. 14-95.8(d)] Possessing a seed or ripened ovule of gymnosperm or angiosperm which can be used to produce any controlled substance
- ☐ [C.C. 14-95.9] ☐ Trafficking in Marijuana ☐ Trafficking in Methamphetamine ☐ Trafficking in Cocaine ☐ Trafficking in Methamphetamine/Amphetamine ☐ Trafficking in Opiate/ Heroin ☐ Trafficking in Lysergic Acid Diethylamide ☐ Trafficking in MDA/MDMA
- ☐ [C.C. 14-95.10] Transporting, carrying, or otherwise causing, assisting, or providing for the importation of controlled substance or immediate precursor chemical into the territory of the Eastern Band of Cherokee Indians
- ☒ [C.C. 14-95.11(c)] Using, possessing with intent to use drug paraphernalia **MUST HAVE AGGRAVATING FACTORS**
- ☐ [C.C. 14-95.11(d)] Delivering, possessing with intent to deliver, or manufacture with intent to deliver drug paraphernalia
- ☐ [C.C. 14-95.11(f)] Advertising drug paraphernalia **MUST HAVE AGGRAVATING FACTORS**

## AGGRAVATING FACTORS

- ☒ [C.C. 14-95.22] Prior convictions
- ☐ [C.C. 14-95.23(a)] Sale or delivery of controlled substance to person under 16 years of age or a pregnant female
- ☐ [C.C. 14-95.23(b)] Delivery of drug paraphernalia to a person under 16 years of age
- ☐ [C.C. 14-95.23(c)] Purchase or receive controlled substance from minor 16 years of age or younger
- ☐ [C.C. 14-95.23(d)] Offense committed while pregnant
- ☐ [C.C. 14-95.23(e)] Sale or delivery on property used for a school, day care center, playground, or community building or within 300 feet of the boundary of real property used for a school, day care center, playground, or community building
- ☐ [C.C. 14-95.23(f)] Possess on property used for a school, day care center, playground, or community building or within 300 feet of the boundary of real property used for a school, day care center, playground, or community building
- ☐ [C.C. 14-95.23(g)] Sale or Delivery in the primary residence of a child 13 years of age or younger
- ☐ [C.C. 14-95.23(h)] Possession in the primary residence of a child 13 years of age or younger
- ☐ [C.C. 14-95.23(i)] Sale or Delivery in the sensory perception of a child 13 years of age or younger
- ☐ [C.C. 14-95.23(j)] Possession in the sensory perception of a child 13 years of age or younger
- ☐ [C.C. 14-95.23(k)] Possession or Sale or Delivery in the sensory perception or dwelling of a child between 13 and 16.
- ☐ [C.C. 14-95.24] Possession of gun at time of offense

I certify that I am a Law Enforcement Officer with the responsibility of enforcing Cherokee Law, I have read the above statement, and I verify that the facts set forth in this application are true and correct to the best of my knowledge.

Date Name of Law Enforcement Officer Signature of Law Enforcement Officer

9-17-14

Jason Cable

[Signature]

Signature of Designated Official

[Signature]

Date

9-17-14

## Official's Certification

Sworn and Subscribed before me this day.

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

TC-001, TEMP NEW 03/07

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## EASTERN BAND OF CHEROKEE INDIANS



Tribal Council

[PHOTO]

IDENTIFYING INFORMATION  
ABOUT EXCLUDED INDIVIDUAL

Writ Application No (If applicable)

Date Issued (If applicable)

Designated Official (If applicable)

## INFORMATION ABOUT INDIVIDUAL

Name of Individual

Laguan Ellis Harding

Street Address of Individual (No P.O. Box)

1586 Apt # B2 Olivet Church Rd. Witter NC 28789

City

State

Zip

Date of Birth

8-13-76

Race:

☐ American Indian (Tribe \_\_\_\_\_)☐ White ☒ Black ☐ Asian/ Pacific Islander ☐ Other

Sex:

☒ Male☐ Female

Height

6' 01"

Weight

Hair Color

BLK

Eye Color

Brn

Identifying Marks (List any marks, scars, tattoos)

Multiple Tattoos forearms

Does the Individual have a driver's license or state-issued card from any state? ☒ Yes ☐ NoIf yes, provide the state and number if possible: State NC Number: 21911508

Vehicle Description and License Plate Number: \_\_\_\_\_

Social Security Number of Individual

Telephone Number of Individual

Is there any reason that a law enforcement officer should consider the individual a potential threat (i.e., carries concealed weapons while drinking alcohol, has threatened an officer etc.)? ☐ Yes ☒ No

If yes, specify the circumstances:

## COUNCIL PROCEEDINGS

Hearing Date

Result of Hearing

Signature

## EASTERN BAND OF CHEROKEE INDIANS

The Cherokee Court



No.

EASTERN BAND OF CHEROKEE INDIANS VERSUS

CONTROLLED SUBSTANCES  
SENTENCING WORKSHEET

Name of Defendant

Laguan Ellis Harding

BN 3: 55

Use one separate form for each charge

## CHARGE

- |   |                       |   |
|---|-----------------------|---|
| 1. [C.C. 14-95.5(a)] Possess a controlled substance (Sch I-V) Class C   | Place 2 points in box | 2 |
| 2. [C.C. 14-95.5(b)] Aggravated Possession of Marijuana Class C   | Place 2 points in box |   |
| 3. [C.C. 14-95.5(c)] Simple Possession of Marijuana Class D   | Place 1 point in box  | 1 |
| 4. [C.C. 14-95.6(b)] Manufacture, Sell or deliver, Possess with intent to sell or deliver a controlled substance Sch I-IV B | Place 3 points in box |   |
| 5. [C.C. 14-95.6(c)] Manufacture, Sell or deliver, Possess with intent to sell or deliver Marijuana C                       | Place 2 points in box |   |
| 6. [C.C. 14-95.6(d)] Manufacture Methamphetamine Class A  | Place 4 points in box |   |
| 7. [C.C. 14-95.7] Manufacture, Sell or deliver, Possess with intent to sell or deliver counterfeit controlled substance C   | Place 2 points in box |   |
| 8. [C.C. 14-95.8(a)] Possess a precursor chemical Class B   | Place 3 points in box |   |
| 9. [C.C. 14-95.8(a)] Possess a precursor chemical (Meth) Class A  | Place 4 points in box |   |
| 10. [C.C. 14-95.8(d)] Possess a seed Class C  | Place 2 points in box |   |
| 11. [C.C. 14-95.9] Trafficking Class A  | Place 4 points in box |   |
| 12. [C.C. 14-95.10] Transporting controlled substance onto reservation Class B  | Place 3 points in box |   |
| 13. [C.C. 14-95.11(c)] Possession of drug paraphernalia Class D   | Place 1 point in box  | 1 |
| 14. [C.C. 14-95.11(d)] Deliver drug paraphernalia Class C   | Place 2 points in box |   |
| 15. [C.C. 14-95.11(f)] Advertise Drug Paraphernalia Class D   | Place 1 point in box  |   |

16.	<b>CHARGE POINTS</b>	4
If 3 points or less, proceed to Line 17. If 4 points, enter number in Line 36		

## AGGREVATING FACTORS-PRIOR RECORD

- |  |  |   |     |   |
|--|--|---|-----|---|
| 17. [C.C. 14-95.22(b)] Prior drug convictions              | No. of Prior Drug Convictions              | / | X 1 | 1 |
| 18. [C.C. 14-95.22(c)] Prior drug distribution convictions | No. of Prior Drug Distribution Convictions |   | X 2 |   |

19.	<b>TOTAL PRIOR RECORD POINTS</b>	1
Add lines 17 and 18		

20.	<b>TOTAL BENCH POINTS</b>	5
Add lines 16 and 19. If 3 points or less, proceed to Line 21. If 4 points or more, enter number in line 36		

## AGGREVATING FACTORS-CHILDREN GUNS

- |  |                       |  |
|--|-----------------------|--|
| 21. [C.C. 14-95.23(k)] Possession or Sale or Delivery in the sensory perception or dwelling of a child between 13 and 16. +1 level | Place 1 point in box  |  |
| 22. [C.C. 14-95.24] Possession of gun at time of offense +2 levels   | Place 2 points in box |  |

23.	<b>SUBTOTAL C&amp;G STEP INCREASE POINTS</b>	
Add lines 21 and 22		

24.	<b>TOTAL AGGREVATING STEP POINTS</b>	
Add lines 19 and 23. Proceed to line 25		

- |  |                       |  |
|--|-----------------------|--|
| 25. [C.C. 14-95.23(a)] Sale or delivery of controlled substance to person under 16 years of age or a pregnant female Class A | Place 4 points in box |  |
| 26. [C.C. 14-95.23(b)] Delivery of drug paraphernalia to a person under 16 years of age Class B                              | Place 3 points in box |  |
| 27. [C.C. 14-95.23(c)] Purchase or receive controlled substance from minor 16 years of age or younger A                      | Place 4 points in box |  |
| 28. [C.C. 14-95.23(d)] Offense committed while pregnant Class A  | Place 4 points in box |  |
| 29. [C.C. 14-95.23(e)] Sale or delivery on property used for a school Class A  | Place 4 points in box |  |
| 30. [C.C. 14-95.23(f)] Possess on property used for a school Class B   | Place 3 points in box |  |
| 31. [C.C. 14-95.23(g)] Sale or Delivery in the primary residence of a child 13 years of age or younger A                     | Place 4 points in box |  |
| 32. [C.C. 14-95.23(h)] Possession in the primary residence of a child 13 years of age or younger Class B                     | Place 3 points in box |  |
| 33. [C.C. 14-95.23(i)] Sale or Delivery in the sensory perception of a child 13 years of age or younger A                    | Place 4 points in box |  |
| 34. [C.C. 14-95.23(j)] Possession in the sensory perception of a child 13 years of age or younger Class B                    | Place 3 points in box |  |

35.	<b>TOTAL LEVEL MANDATORY POINTS</b>	
Place the largest number from lines 25 through 34 in this box		

36.	<b>TOTAL POINTS</b>	5
Add lines 24 and the larger number of line 16 or 35		

37.	<b>SENTENCING LEVEL</b>	
Total Points in Line 30 exceed 4 points, write A; 3 points, write B; 2 points, write C; 1 point, write D		



# STATE OF NORTH CAROLINA

JACKSON

County

SYLVA

Seat of Court

File No.

12CR5050399

51

NOTE: (This form is to be used for (1) felony offense(s) and (2) misdemeanor offense(s) that are consolidated for judgment with any felony offense(s). Use AOC-CR-310 for DWI offense(s).)

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

## STATE VERSUS

## JUDGMENT SUSPENDING SENTENCE - FELONY PUNISHMENT: ☐ COMMUNITY ☒ INTERMEDIATE (STRUCTURED SENTENCING)

(For Offenses Committed On Or After Dec. 1, 2011)

G.S. 15A-1341, -1342, -1343, -1343.2, -1346

Name Of Defendant

HARDING, LAQUAN, ELLIS

Race

B

Sex

M

Date Of Birth

8/13/1976

Attorney For State

AGUIRRE, BRIDGETTE, B

☐ Def. Found Not Indigent ☐ Def. Waived Attorney

Attorney For Defendant

LAY, FRANK

☐ Appointed ☒ Retained

Crt Rptr Initials  
DLT

The defendant ☒ pled guilty (☐ pursuant to Alford) 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.	*Pun. CL.
12CR5050399	51	PWMSD SCH IV CS	3/21/2012	90-95(A)(1)	F	I	

\*NOTE: Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).

The Court ☒ 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 3.  
 Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission to this issue.  
☐ 2. makes no prior record level finding because none is required.

PRIOR RECORD LEVEL: ☐ I ☐ III ☐ V  
☒ II ☐ IV ☐ VI

The Court (NOTE: Block 1 or 2 MUST be checked):

- ☒ 1. makes no written findings because the prison term imposed is within the presumptive range of sentences authorized under G.S. 15A-1340.17(c).  
☐ 2. makes the Determination of aggravating and mitigating factors on the attached AOC-CR-605.  
☐ 3. makes the Findings of Extraordinary Mitigation set forth on the attached AOC-CR-606.  
☐ 4. finds the defendant has provided substantial assistance pursuant to G.S. 90-95(h)(5).  
☐ 5. adjudges the defendant to be (check only one) ☐ an habitual felon to be sentenced four classes higher than the principal felony (no higher than Class C).  
☐ an habitual breaking and entering status offender, to be sentenced as a Class E felon.  
☐ 6. finds enhancement pursuant to: ☐ G.S. 90-95(e)(3) (drugs). ☐ G.S. 14-3(c) (hate crime). ☐ G.S. 50B-4.1 (domestic violence).  
☐ G.S. 14-50.22 (gang). ☐ Other: \_\_\_\_\_ This finding is based on the jury's determination of this issue beyond a reasonable doubt or the defendant's admission.  
☐ 7. finds the above designated offense(s) is a reportable conviction under G.S. 14-208.6 and therefore imposes the special conditions of probation set forth on the attached AOC-603C, Page Two, and makes the additional findings and orders on the attached AOC-CR-615, Side Two.  
☐ 8. finds the above-captioned offense(s) involved the (check all that apply) ☐ physical or mental ☐ sexual abuse of a minor.  
☐ (If No. 7 not found) and therefore imposes the special conditions of probation set forth on the attached AOC-CR-603C, Page Two, Side Two.  
☐ 9. finds that a ☐ motor vehicle ☐ commercial motor vehicle was used in the commission of the offense and that it shall be reported to DMV.  
☐ 10. finds this is an offense involving assault, communicating a threat, or an act defined in G.S. 50B-1(a), and the defendant had a personal relationship as defined by G.S. 50B-1(b) with the victim.  
☐ 11. finds the above-designated offense(s) involved criminal street gang activity. G.S. 14-50.25.  
☐ 12. did not grant a conditional discharge under G.S. 90-96(a) because (check all that apply) ☐ the defendant refused to consent. ☐ (offenses committed on or after Dec. 1, 2013, only) the Court finds, with the agreement of the District Attorney, that the offender is inappropriate for a conditional discharge for factors related to the offense.  
☐ 13. finds that the defendant used or displayed a firearm while committing the felony. G.S. 15A-1382.2.  
☐ 14. (for judgments entered on or after Dec. 1, 2013, only) finds that this was an offense involving child abuse or an offense involving assault or any of the acts as defined in G.S. 50B-1(a) committed against a minor. G.S. 15A-1382.1(a1).

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be imprisoned

for a minimum term of 6 months for a maximum term of 17 months in the custody of the N.C. DAC.

☐ This sentence shall run at the expiration of sentence imposed in file number \_\_\_\_\_.

The defendant shall be given credit for 1 days spent in confinement prior to the date of this Judgment as a result of this charge(s) to be applied toward the ☒ sentence imposed above. ☐ imprisonment required for special probation set forth on AOC-CR-603C, Page Two.

## SUSPENSION OF SENTENCE

Subject to the conditions set out below, the execution of this sentence is suspended and the defendant is placed on ☒ supervised ☐ unsupervised probation for 18 months.

- ☐ 1. The Court finds that a ☐ longer ☐ shorter period of probation is necessary than that which is specified in G.S. 15A-1343.2(d).  
☐ 2. The Court finds that it is NOT appropriate to delegate to the Section of Community Corrections the authority to impose any of the requirements in G.S. 15A-1343.2(e) for community punishment or G.S. 15A-1343.2(f) for intermediate punishment.  
☐ 3. This period of probation shall begin ☐ when the defendant is released from incarceration ☐ at the expiration of the sentence in the case below.

File No.	Offense	County	Court	Date
----------	---------	--------	-------	------

- ☐ 4. The defendant shall comply with the conditions set forth in file number \_\_\_\_\_.  
☒ 5. The defendant shall provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)

## MONETARY CONDITIONS

The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below, plus the probation supervision fee, pursuant to a schedule ☒ determined by the probation officer. ☐ set out by the court as follows:

Costs	Fine	Restitution*	Attorney's Fees	Comm Serv Fee	EHA Fee	SBM Fee	Appt Fee/Misc	Total Amount Due
\$ 974.50	\$ 200.00	\$	\$	\$	\$	\$	\$	\$ 1,174.50

\*See attached "Restitution Worksheet, Notice And Order (Initial Sentencing)" AOC-CR-611, which is incorporated by reference.

- ☐ The Court finds just cause to waive costs, as ordered on the attached ☐ AOC-CR-618. ☐ Other: \_\_\_\_\_  
☐ Upon payment of the "Total Amount Due," the probation officer may transfer the defendant to unsupervised probation.

AOC-CR-603C, Rev. 10/13

Material opposite unmarked squares is to be disregarded as surplusage.

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(Over)

# REGULAR CONDITIONS OF PROBATION - G.S. 15A-1343(b)

NOTE: Any probationary judgment may be extended pursuant to G.S. 15A-1342. The defendant shall: (1) Commit no criminal offense in any jurisdiction. (2) Possess no firearm, explosive device or other deadly weapon listed in G.S. 14-269. (3) Remain gainfully and suitably employed or faithfully pursue a course of study or 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. If the defendant is on supervised probation, the defendant shall also: (5) Not abscond, by willfully avoiding supervision or by willfully making the defendant's whereabouts unknown to the supervising probation officer. (6) Remain within the jurisdiction of the Court unless granted written permission to leave by the Court or the probation officer. (7) Report as directed by the Court or the probation officer to the officer at reasonable times and places and in a reasonable manner, permit the officer to visit at reasonable times, answer all reasonable inquiries by the officer and obtain prior approval from the officer for, and notify the officer of, any change in address or employment. (8) Notify the probation officer if the defendant fails to obtain or retain satisfactory employment. (9) Submit at reasonable times to warrantless searches by a probation officer of the defendant's person and of the defendant's vehicle and premises while the defendant is present, for purposes directly related to the probation supervision, but the defendant may not be required to submit to any other search that would otherwise be unlawful. (10) Submit to warrantless searches by a law enforcement officer of the defendant's person and of the defendant's vehicle, upon a reasonable suspicion that the defendant is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon listed in G.S. 14-269 without written permission of the court. (11) Not use, possess, or control any illegal drug or controlled substance unless it has been prescribed for the defendant by a licensed physician and is in the original container with the prescription number affixed on it; not knowingly associate with any known or previously convicted users, possessors, or sellers of any such illegal drugs or controlled substances; and not knowingly be present at or frequent any place where such illegal drugs or controlled substances are sold, kept, or used. (12) Supply a breath, urine, or blood specimen for analysis of the possible presence of prohibited drugs or alcohol when instructed by the defendant's probation officer for purposes directly related to the probation supervision. If the results of the analysis are positive, the probationer may be required to reimburse the Division of Adult Correction for the actual costs of drugs or alcohol screening and testing.

- ☐ 13. The Court finds that the defendant is responsible for acts of domestic violence and therefore makes the additional findings and orders on the attached AOC-CR-603C, Page Two, Side Two.

## SPECIAL CONDITIONS OF PROBATION - G.S. 15A-1343(b1)

The defendant shall also comply with the following special conditions which the Court finds are reasonably related to the defendant's rehabilitation:

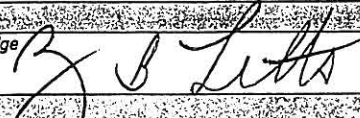
- ☐ 14. Surrender the defendant's drivers license to the Clerk of Superior Court for transmittal/notification to the Division of Motor Vehicles and not operate a motor vehicle for a period of \_\_\_\_\_ or until relicensed by the Division of Motor Vehicles, whichever is later.
- ☐ 15. Successfully pass the General Education Development Test (G.E.D.) during the first \_\_\_\_\_ months of the period of probation.
- ☒ 16. Complete 24 hours of community service during the first 30 days of the period of probation, as directed by the judicial service coordinator. The fee prescribed by G.S. 143B-708 is  
☐ not due because it is assessed in a case adjudicated during the same term of court.  
☒ to be paid ☒ pursuant to the schedule set out under Monetary Conditions above ☐ within \_\_\_\_\_ days of this Judgment and before beginning service.
- ☒ 17. Report for initial evaluation by \_\_\_\_\_ TASC  
 participate in all further evaluation, counseling, treatment or education programs recommended as a result of that evaluation, and comply with all other therapeutic requirements of those programs until discharged.
- ☐ 18. Not assault, threaten, harass, be found in or on the premises or workplace of, or have any contact with \_\_\_\_\_  
 "Contact" includes any defendant-initiated contact, direct or indirect, by any means including but not limited to telephone, personal contact, e-mail, pager, gift-giving, telefacsimile machine or through any other person, except \_\_\_\_\_
- ☐ 19. (for offenses committed on or after December 1, 2012) Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_\_\_ days, ☐ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
- ☒ 20. Other:  
 PARTICIPATE IN THE CBI PROGRAM. NOT VIOLATE ANY LAWS. PROBATION OFFICER HAS DELAGATED AUTHORITY TO TRANSFER TO UNSUPERVISES PROBATION AFTER 12 MONTHS IF IN COMPLIANCE.

- ☒ 21. Comply with the Special Conditions Of Probation which are set forth on AOC-CR-603C, Page Two.

## ORDER OF COMMITMENT/APEAL ENTRIES

- ☐ 1. 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.
- ☐ 2. The defendant gives notice of appeal from the judgment of the trial 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 11/6/2013	Name Of Presiding Judge (Type Or Print) HONORABLE BRADLEY B. LETTS	Signature Of Presiding Judge 
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## CERTIFICATION

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

- |  |   |
|--|---|
| <input type="checkbox"/> 1. Appellate Entries (AOC-CR-350)   | <input type="checkbox"/> 6. Judicial Findings As To Required DNA Sample (AOC-CR-319)                                  |
| <input type="checkbox"/> 2. Judgment Suspending Sentence, (AOC-CR-603C, Page Two) (additional conditions of probation) | <input type="checkbox"/> 7. Judicial Findings And Order For Sex Offenders - Suspended Sentence (AOC-CR-615, Side Two) |
| <input type="checkbox"/> 3. Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605)                | <input type="checkbox"/> 8. Convicted Sex Offender Permanent No Contact Order (AOC-CR-620)                            |
| <input type="checkbox"/> 4. Extraordinary Mitigation Findings (AOC-CR-606)   | <input type="checkbox"/> 9. Additional File No.(s) And Offense(s) (AOC-CR-626)  |
| <input type="checkbox"/> 5. Restitution Worksheet, Notice And Order [Initial Sentencing] (AOC-CR-611)                  | <input type="checkbox"/> 10. Other: _____   |

Date	Date Certified Copies Delivered To Sheriff	Signature Of Clerk	<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> CSC
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SEAL

Name Of Defendant

HARDING, LAQUAN, ELLIS

**NOTE:** Use this page in conjunction with AOC-CR-310C, "Impaired Driving - Judgment Suspending Sentence"; AOC-CR-603C, "Judgment Suspending Sentence - Felony"; AOC-CR-604C, "Judgment Suspending Sentence - Misdemeanor"; AOC-CR-619C, "Conditional Discharge Under G.S. 90-96(a)"; AOC-CR-621C, "Conditional Discharge Under G.S. 14-50.29"; AOC-CR-627C, "Conditional Discharge Under G.S. 90-96(a1)"; or AOC-CR-628, "Conditional Discharge Under G.S. 14-204(b)"; for offenses committed on or after Dec. 1, 2011.

**COMMUNITY AND INTERMEDIATE PROBATION CONDITIONS - G.S. 15A-1343(a1)**

**NOTE:** The conditions in this section may not be imposed for defendants placed on probation for a sentence under G.S. 20-179.

In addition to complying with the regular and any special conditions of probation set forth in the "Judgment Suspending Sentence" entered in the above case(s), the defendant shall also comply with the following conditions of probation, which may be imposed for any community or intermediate punishment.

- ☐ 1. Submit to house arrest with electronic monitoring, remain at the defendant's residence for a period of \_\_\_\_\_ days, \_\_\_\_\_ months, and abide by all rules, regulations and directions of the probation officer regarding such monitoring. The defendant may leave the residence for the following purpose(s) and as otherwise permitted by the probation officer: ☐ employment ☐ counseling ☐ a course of study ☐ vocational training.

**NOTE TO CLERK:** Unless specifically ordered by the Court, do not assess the house arrest fee for this condition.

Other: \_\_\_\_\_

- ☐ 2. Complete \_\_\_\_\_ hours of community service during the first \_\_\_\_\_ days of the period of probation, as directed by the judicial service coordinator. The fee prescribed by G.S. 143B-708 is  
☐ not due because it is assessed in a case adjudicated during the same term of court.  
☐ to be paid ☐ pursuant to the schedule set out under Monetary Conditions in the "Judgment Suspending Sentence." ☐ within \_\_\_\_\_ days of this Judgment and before beginning service.

Other: \_\_\_\_\_

- ☐ 3. Submit to the following period(s) of confinement in the custody of the ☐ Sheriff of this County. ☐ \_\_\_\_\_ (other local confinement facility). ☐ and pay jail fees. The defendant shall report in a sober condition to serve the term(s) indicated below.

**NOTE:** Periods of confinement imposed here must be for two-day or three-day consecutive periods, only, for no more than six days in a single month, and in no more than three separate months during the period of probation. To impose special probation under G.S. 15A-1351, see INTERMEDIATE PUNISHMENTS, below.

Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days

Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days

Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days
Date	Hour	<input type="checkbox"/> AM <input type="checkbox"/> PM	for <input type="checkbox"/> 2 days <input type="checkbox"/> 3 days

- ☐ 4. Obtain a substance abuse assessment, monitoring or treatment as follows: \_\_\_\_\_
- ☐ 5. (for offenses committed on or after December 1, 2012) Abstain from alcohol consumption and submit to continuous alcohol monitoring for a period of \_\_\_\_\_ days, \_\_\_\_\_ months, the Court having found that a substance abuse assessment has identified defendant's alcohol dependency or chronic abuse.
- ☐ 6. Participate in an educational or vocational skills development program as follows: \_\_\_\_\_
- ☐ 7. Submit to satellite-based monitoring, if required on the attached AOC-CR-615, Side Two.

**INTERMEDIATE PUNISHMENTS - CONTEMPT**

In addition to complying with the regular and any special, community or intermediate conditions of probation set forth in the "Judgment Suspending Sentence" or herein for the above case(s), the defendant shall also comply with the following intermediate punishment(s) under G.S. 15A-1340.11(6).

- ☐ 1. **Special Probation - G.S. 15A-1351** ☐ **Contempt - G.S. 15A-1344(e1) and 5A-11(a)**

For the defendant's active sentence as a condition of special probation, the defendant shall comply with these additional regular conditions of probation: (1) Obey the rules and regulations of the Division of Adult Correction governing the conduct of inmates while imprisoned. (2) Report to a probation officer in the State of North Carolina within seventy-two (72) hours of the defendant's discharge from the active term of imprisonment.

- ☐ A. Serve an active term of \_\_\_\_\_ days \_\_\_\_\_ months \_\_\_\_\_ hours in the custody of the  
☐ N.C. DAC. ☐ Sheriff of this County. ☐ Other: \_\_\_\_\_

- ☐ B. The defendant shall report in a sober condition to begin serving his/her term on:

Day \_\_\_\_\_ Date \_\_\_\_\_ Hour \_\_\_\_\_ ☐ AM  
☐ PM

and shall remain in custody until:

Day \_\_\_\_\_ Date \_\_\_\_\_ Hour \_\_\_\_\_ ☐ AM  
☐ PM

- ☐ C. The defendant shall again report in a sober condition to continue serving this term on the same day of the week for the next \_\_\_\_\_ consecutive weeks, and shall remain in custody during the same hours each week until completion of the active sentence ordered.

- ☐ D. This sentence shall be served at the direction of the probation officer within \_\_\_\_\_ days \_\_\_\_\_ months of this judgment.

- ☐ E. Pay jail fees. ☐ F. Work release is recommended. ☐ G. Substance abuse treatment is recommended.

- ☐ H. Other: \_\_\_\_\_

- ☐ 2. **Drug Treatment Court - G.S. 15A-1340.11(3a); 15A-1340.11(6)**

Comply with the rules adopted for the program as provided for in Article 62 of Chapter 7A of the General Statutes and report on a regular basis for a specified time to participate in court supervision, drug screening or testing, and drug or alcohol treatment programs.

Other: \_\_\_\_\_

**INTERMEDIATE CONDITIONS OF PROBATION - G.S. 15A-1343(b4)**

If subject to intermediate punishment, the defendant shall, in addition to the terms and conditions imposed above, comply with the following intermediate conditions of probation.  
(1) If required by the defendant's probation officer, perform community service under the supervision of the Section of Community Corrections, and pay the fee required by G.S. 143B-708, but no fee shall be due if the Court imposed community service as a special condition of probation and assessed the fee in this judgment or any judgment for an offense adjudicated in the same term of court. (2) Not use, possess, or control alcohol. (3) Remain within the defendant's county of residence unless granted written permission to leave by the court or the defendant's probation officer. (4) Participate in any evaluation, counseling, treatment, or educational program as directed by the probation officer, keeping all appointments by abiding by the rules, regulations, and direction of each program.



**MANDATORY SPECIAL CONDITIONS FOR SEX OFFENDERS AND PERSONS CONVICTED OF OFFENSES INVOLVING PHYSICAL, MENTAL, OR SEXUAL ABUSE OF A MINOR - G.S. 15A-1343(b2)**

NOTE: The following are not defined as intermediate punishments under G.S. 15A-1340.11(6).

NOTE: Select **only one** of the three sets of conditions below.

☐ **1. Special Conditions For Reportable Convictions - G.S. 15A-1343(b2)**

NOTE: Impose only for a reportable conviction under G.S. 14-208.6.

The defendant has been convicted of an offense which is a reportable conviction as defined in G.S. 14-208.6(4) and must

- Register as a sex offender and enroll in satellite-based monitoring if required on the attached AOC-CR-615, Side Two.
- Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
- Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
- ☐ (if the Court finds physical, mental or sexual abuse of a minor) Not reside in a household with
  - ☐ (for sexual abuse) any minor child.
  - ☐ (for physical or mental abuse) any minor child ☐ other than the child(ren) named below, for whom the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the best interest of the child(ren) named below to reside in the same household with the probationer. (Name minor child(ren) with whom the probationer may reside in the same household): \_\_\_\_\_
- Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: ☐ child pornography
- Other: \_\_\_\_\_

☐ **2. Special Conditions For Offenses Involving The Sexual Abuse Of A Minor - G.S. 15A-1343(b2)**

NOTE: Impose if offense involved sexual abuse of a minor but is not a reportable conviction.

The defendant has been convicted of an offense involving the sexual abuse of a minor and must

- Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
- Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
- Not reside in a household with any minor child. (G.S. 15A-1343(b2)(4))
- Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: ☐ child pornography
- Other: \_\_\_\_\_

☐ **3. Special Conditions For Offenses Involving The Physical Or Mental Abuse Of A Minor - G.S. 15A-1343(b2)**

NOTE: Impose if offense involved physical or mental abuse of a minor but is not a reportable conviction and did not involve sexual abuse.

The defendant has been convicted of an offense involving the physical or mental abuse of a minor and must

- Participate in such evaluation and treatment as is necessary to complete a prescribed course of psychiatric, psychological, or other rehabilitative treatment as ordered by the court.
- Not communicate with, be in the presence of, or found in or on the premises of the victim of the offense.
- Not reside in a household with
  - ☐ (1) any minor child.
  - ☐ (2) any minor child other than the child(ren) named below, for whom the court expressly finds that it is unlikely that the defendant's harmful or abusive conduct will recur and that it would be in the best interest of the child(ren) named below to reside in the same household with the probationer. (Name minor child(ren) with whom the probationer may reside in the same household): \_\_\_\_\_
- Submit at reasonable times to warrantless searches by a probation officer of the defendant's person, of the defendant's vehicle and premises, and of the defendant's computer or other electronic mechanism which may contain electronic data, while the defendant is present, for the following purposes which are reasonably related to the defendant's probation supervision: ☐ child pornography
- Other: \_\_\_\_\_

**ADDITIONAL CONDITIONS FOR DOMESTIC VIOLENCE**

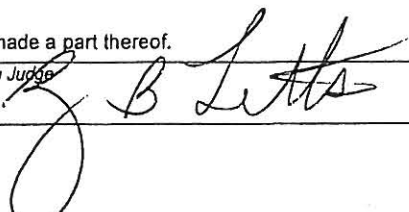
☐ 1. Pursuant to its finding that the defendant is responsible for acts of domestic violence, the Court further finds that:

- ☐ there is an abuser treatment program, approved by the Domestic Violence Commission, reasonably available to the defendant. As an additional Regular Condition of Probation, the defendant shall attend and complete that program and abide by all of its rules. Any discharge for failure to comply with the program or its rules shall be reported to the court. ☐ (required for unsupervised probation) The defendant shall return to court as ordered for 60-day review hearings until the program is completed, the first such hearing to be held on \_\_\_\_\_.
- ☐ there is no approved abuser treatment program reasonably available. ☐ c. it would not be in the best interests of justice to order the defendant to complete an abuser treatment program because \_\_\_\_\_

☐ 2. As additional Special Conditions of Probation, the defendant shall:

- ☐ a. not come within \_\_\_\_\_ feet of \_\_\_\_\_ at any time.
- ☐ b. comply fully with any G.S. Chapter 50B Domestic Violence Protective Order in effect.

The above conditions are incorporated in the "Judgment Suspending Sentence" in the above case(s) and made a part thereof.

Date 11/6/2013	Name Of Presiding Judge (Type Or Print) HONORABLE BRADLEY B. LETTS	Signature Of Presiding Judge 
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STATE OF NORTH CAROLINA



*Paul E. Bratt*  
Commissioner of Motor Vehicles

DRIVER LICENSE

21911508  
Dup



LAQUAN ELLIS HARDING  
175 LONG BOW LN  
LOT 16  
WHITTIER NC 28789

class: C endors: None restr: None  
issued: 01-29-2013 expires: 08-12-2015  
sex: M ht: 6-01 eyes: BRO hair: BLK race:

birthdate:  
08-12-1976

*Laquan Ellis Harding*

Reference: 0458000018  
Msg Key : QVR  
Date/Time: 20140916212726  
Source : DMVREG

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TO: CHP -019094 20140916 21:27:26 18B3DE6688  
FROM: DMVREG 20140916 21:27:25  
N.C. VEHICLE REGISTRATION SYSTEM  
RESPONSE BASED UPON:  
PLATE NO: BFD1019 YEAR: 2014 LIENS: PAGES: 7  
ATTENTION:

VIN: JTLKT324X64031022 VEHICLE DETAIL RESPONSE  
TITLE NO: 777288130631176 2006 TOYOTA MP  
PURCHASE DT: 03042013

CUSTOMER ID: 21911508	DOB: 08131976	HANDICAP PLACARD:
LAQUAN ELLIS HARDING		PLACARD STATUS:
CUSTOMER ID: 13415060	DOB: 11161940	HANDICAP PLACARD:
WALTER ELLIS HUNTLEY		PLACARD STATUS:
175 LONG BOW LN		TAX COUNTY: JACKSON
LOT 16		
WHITTIER NC 28789		PLT STATUS: RENEWED

CURRENT PLATE NO: BFD1019 WGT: ISSUE DT: 02012013 VALID THRU: 03152014  
INS CO: STANDARD FIRE INSURANCE CO POLICY: 9881347091011

\*END OF MESSAGE\*

\*\*\*\*\*

Reference: 045800001E  
Msg Key : QVR  
Date/Time: 20140916212959  
Source : DMVREG

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TO: CHP -019098 20140916 21:29:59 18B3DE66D4  
FROM: DMVREG 20140916 21:29:58

N.C. VEHICLE REGISTRATION SYSTEM

RESPONSE BASED UPON:

PLATE NO: BMW7209 YEAR: 2014 LIENS: PAGES: 7

ATTENTION:

VEHICLE DETAIL RESPONSE

VIN: 1G6KD54Y61U148600 2001 CADILLAC DEVILLE DEVILL 4S  
TITLE NO: 778130132841153 PURCHASE DT: 10102013

CUSTOMER ID: 21911508 DOB: 08131976 HANDICAP PLACARD:  
LAQUAN ELLIS HARDING PLACARD STATUS:  
175 LONG BOW LN TAX COUNTY: JACKSON  
LOT 16  
WHITTIER NC 28789 PLT STATUS: ACTIVE

CURRENT PLATE NO: BMW7209 WGT: ISSUE DT: 10112013 VALID THRU: 11152014  
INS CO: STANDARD FIRE INSURANCE CO POLICY: 9881347091011

PRIOR PLATE NO: BMW7209 WGT: ISSUE DT: 10112013 VALID THRU: 12312013  
INS CO: STANDARD FIRE INSURANCE CO POLICY: 9881347091011

\*END OF MESSAGE\*

\*\*\*\*\*

Reference: 045800001K  
Msg Key : QVR  
Date/Time: 20140916213100  
Source : DMVREG

045800001K.DMVREG.QVR.20140916213100.  
TO: CHP -019102 20140916 21:31:00 18B3DE66EC  
FROM: DMVREG 20140916 21:31:00  
N.C. VEHICLE REGISTRATION SYSTEM  
RESPONSE BASED UPON:  
PLATE NO: BFD1467 YEAR: 2014 LIENS: PAGES: 7  
ATTENTION:

VIN: WVWTH63B62P119946 VEHICLE DETAIL RESPONSE  
TITLE NO: 777134130579176 2002 VOLKSWAGEN PASSAT GLX 4MO 4S  
PURCHASE DT: 02262013

CUSTOMER ID: 21911508	DOB: 08131976	HANDICAP PLACARD:
LAQUAN ELLIS HARDING		PLACARD STATUS:
CUSTOMER ID: 13415060	DOB: 11161940	HANDICAP PLACARD:
WALTER ELLIS HUNTLEY		PLACARD STATUS:
175 LONG BOW LN		TAX COUNTY: JACKSON
LOT 16		
WHITTIER NC 28789		PLT STATUS: RENEWED

CURRENT PLATE NO: BFD1467 WGT: ISSUE DT: 02262013 VALID THRU: 03152014  
INS CO: STANDARD FIRE INSURANCE CO POLICY: 9881347091011

\*END OF MESSAGE\*

\*\*\*\*\*



Reference: 045900000I  
Msg Key : QDF  
Date/Time: 20140917051832  
Source : DMVISS

045900000I.DMVISS.QDF.20140917051832.  
TO: CHP -019140 20140917 05:18:32 18B43005CE  
FROM: DMVISS 20140917 05:18:32  
N.C. DRIVER LICENSE SYSTEM

RESPONSE BASED UPON:  
CUSTOMER ID: 21911508 PAGES: 7  
ATTENTION: IMAGE: Y

DRIVER HISTORY RESPONSE

NAME: HARDING LAQUAN ELLIS  
ADDRESS: 175 LONG BOW LN LOT 16  
CITY: WHITTIER STATE: NC ZIP: 28789 TOTAL POINTS: 0  
DOB: 08-13-1976 HEIGHT: 6 FT. 01 IN. SEX: M EYES: BRO HAIR: BLK RACE: B  
PRIMARY LICENSE NO: 21911508  
SECONDARY LICENSE NO: NON-RESIDENT MILITARY: N  
ORG. ISS.DT: 07-12-07 OS DL NO: 058056783 OS STATE: GA

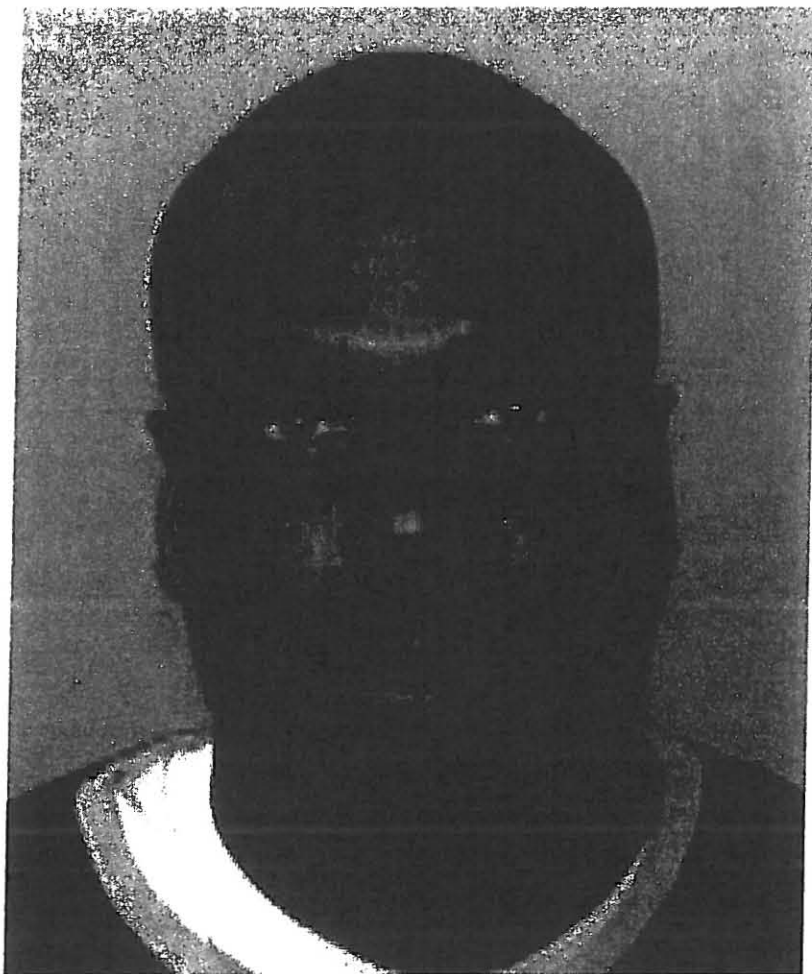
\*\*\* DRIVER LICENSE STATUS: CLS C ACTIVE \*\*\*

CLASS	GRP	LIC	TYP	ISSUE	DT	EXPIR	DT	CDL	DISQ	PROB	LMT	COND	STATUS
											PRIV	RESTR	
C		D		01-29-13		08-13-15		N	N	N	N	N	ACTIVE

ENDORS: RESTRICT: 0  
CRD TRNS:0008232189

OCCUR/ BEG DATE	CONV/ END DATE	NATURE OF RECORD OR DIVISION ACTION	POINTS
05-04-12	08-13-20	REN ISS: ID EN: RS:	
09-23-10		ACDNT: JACKSON COUNTY, NC ACDNT: CASE ID:102968354	PERS INJ
07-12-07	08-13-15	ORG ISS: CLS C EN: RS:0	
03-05-04	08-13-11	REN ISS: ID EN: RS:	
10-15-01	08-13-06	REN ISS: ID EN: RS:	
09-05-01	08-13-06	ORG ISS: ID EN: RS:	
10-29-97	08-13-01	REN ISS: ID EN: RS:	
04-27-95	08-13-99	ORG ISS: ID EN: RS:	

\*\*  
IMAGE :



\*\*  
IMAGE CAPTURE DATE: 2013-01-29  
IMAGE CAPTURE TIME: 10.44.34  
\*\*

ACCIDENTS NOTED ON THIS DOCUMENT SHALL NOT BE  
CONSIDERED DETERMINATIVE OF FAULT OR NEGLIGENCE  
ON THE PART OF THE INDIVIDUAL

\*\*  
CERTIFIED A TRUE COPY OF THE D/L RECORD OF THE PERSON NAMED HEREIN AS APPEARS  
ON THE AUTOMATED SYSTEM OF DMV. G.S.20-26(B).  
\* END OF MESSAGE \*

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QCG  
Date/Time: 20140917052016  
Source : CHPINQS

045900000R.CHPINQS.QCG.20140917052016.  
TO: CHP -019147 20140917 05:20:16 3CDA0B085B  
FROM: CHPINQS 20140917 05:20:15  
TO:NC0870200  
FROM:NC0870200  
Completion Code: HIT000000  
NO HIT (QCG)

\*\*\*\*\*  
This Concealed Handgun Permit Response Is Based On Input Of:  
Name: HARDING, LAQUAN ELLIS  
Date Of Birth: 08-13-1976  
\*\*\*\*\*

\*\*\*\*\*END OF RECORD\*\*\*\*\*

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QH  
Date/Time: 20140917052016  
Source : CCHINQ

045900000R.CCHINQ.QH.20140917052016.  
TO: CHP -019148 20140917 05:20:16 18965CAA64  
FROM: CCHINQ 20140917 05:20:16  
TO:NC0870200  
FROM:NC0870200  
Completion Code: HIT020000  
HIT(S) TO INQUIRY (QH)

\*\*\*\*\*  
This Computerized Criminal History Response Is Based On Input Of:  
ORI: NC0870200  
Name: HARDING, LAQUAN ELLIS  
Race: Black Sex: Male Date of Birth: 08-13-1976  
Purpose Code: C Operator Id: WEO  
Attention: DET JASON CABLE  
\*\*\*\*\*

#### COMPUTERIZED CRIMINAL HISTORY

Name: HARDING, LAQUAN  
SID: NC0922586A  
FBI Number: 995260RB2  
Race: Black  
Sex: Male  
Date of Birth: 08-13-1976  
Birth Place: NC  
Description: North Carolina  
Height: 6 Ft. 01 In.  
Weight: 170 Lbs.  
Eyes: BROWN  
Hair Color: BLACK

Fingerprint Type: AFIS  
Fingerprint Class: 01RS 02RS 03RS 04RS 05RS 06WU 07LS 08LS 09LS 10LS  
Arrestee DNA Available at NC State Crime Lab: No  
Convicted offender DNA Available at NC State Crime Lab: No  
Social Security Numbers:

239-23-6585

Miscellaneous Numbers: MK-190981

Driver's Licenses: 21911508NC

Alias:  
HARDING, LAQUAN ELLIS  
HARDING, LAQUAN LELLIL  
ROLLINGS, JAMES ELLIS

BASED ON NAME, RACE, SEX AND DOB ONLY.

THIS CRIMINAL HISTORY IDENTIFICATION IS FOR A SINGLE STATE RECORD.

FOR COMPLETE RECORD(S), PERFORM A QR INQUIRY USING FBI OR SID.

THIS CRIMINAL HISTORY RECORD INFORMATION ON THE ABOVE-NAMED INDIVIDUAL IS A  
CERTIFIED COPY SUBSTANTIATED BY FINGERPRINTS, AS IT APPEARS IN THE SBI/DCI  
FILES.

STATE/FEDERAL REGULATIONS REQUIRE A ONE-YEAR RECORD OF DISSEMINATION.

\* \* \* CAUTION \* \* \*  
CHANGES TO THIS RECORD MAY OCCUR AT ANY TIME AND A NEW INQUIRY SHOULD  
BE MADE FOR SUBSEQUENT USE. THIS RECORD MUST NOT BE USED AFTER 12-16-2014.

\*\*\*\*\*END OF RECORD\*\*\*\*\*

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QH  
Date/Time: 20140917052017  
Source : III

045900000R.III.QH.20140917052017.

TO: CHP -019149 20140917 05:20:17 005DB7DAB0  
FROM: III 20140917 05:20:16

3L01022600110A2QH

NC0870200

THIS NCIC INTERSTATE IDENTIFICATION INDEX MULTIPLE RESPONSE IS THE  
RESULT OF YOUR INQUIRY ON NAM/HARDING, LAQUAN ELLIS SEX/M RAC/B DOB/19760813  
PUR/C ATN/DET JASON CABLE

NAME	FBI NO.	INQUIRY DATE
HARDING, LAQUAN	995260RB2	2014/09/17

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	B	1976/08/13	601	165	BRO	BLK	Y

BIRTH PLACE  
UNKNOWN

FINGERPRINT CLASS          PATTERN CLASS

ALIAS NAMES  
HARDING, LAQUAN LELLIL          ROLLINGS, JAMES ELLIS  
HARDING, LAQUAN ELLIS

SOCIAL SECURITY  
239-23-6585

IDENTIFICATION DATA UPDATED 2002/03/15

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLLOWING:  
NORTH CAROLINA - STATE ID/NC0922586A

END - 1ST NCIC III RECORD OF MULTIPLE RESPONSE

NAME	FBI NO.	INQUIRY DATE
HARDING, LEONARD	104959HB9	2014/09/17

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	B	1978/08/13	507	180	BRO	BLK	Y

BIRTH PLACE  
PENNSYLVANIA

FINGERPRINT CLASS          PATTERN CLASS  
12 AA TT 07 06  
AA AA AA 08 06

ALIAS NAMES  
MCCLAIN, LEONARD J          MCCLAIN, LEONARD  
HARDING, TYRONE

OTHER  
BIRTH DATES  
1976/06/11

IDENTIFICATION DATA UPDATED 2004/03/05

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLLOWING:  
PENNSYLVANIA - STATE ID/PA25341961

END - LAST NCIC III RECORD OF MULTIPLE RESPONSE

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION  
INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QSO  
Date/Time: 20140917052017  
Source : SORINQ

045900000R.SORINQ.QSO.20140917052017.

TO: CHP -019150 20140917 05:20:17 007F6C5AAE  
FROM: SORINQ 20140917 05:20:16

TO:NC0870200

FROM:NC0870200

Completion Code: HIT000000

NO HIT (QSO)

\*\*\*\*\*

This SOR Response Is Based On Input Of:

Name: HARDING,LAQUAN ELLIS

Birthdate: 08-13-1976

Race: B Sex: M

\*\*\*\*\*

\*\* END OF MESSAGE \*\*

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QXS  
Date/Time: 20140917052018  
Source : NC2K

045900000R.NC2K.QXS.20140917052018.  
TO: CHP -019151 20140917 05:20:18 0006DB7CEC  
FROM: NC2K 20140917 05:20:18  
1L01022600110A1QXS  
NC0870200

NO NCIC SEX OFFENDER FILE RECORD NAM/HARDING, LAQUAN ELLIS DOB/19760813

\*\*\*\*\*

Reference: 045900000I  
Msg Key : CPR  
Date/Time: 20140917051833  
Source : DOCINQS

045900000I.DOCINQS.CPR.20140917051833.  
TO: CHP -019141 20140917 05:18:33 006C07C715  
FROM: DOCINQS 20140917 05:18:32

North Carolina Department of Corrections File

Name	Race/Eth	Sex	DOB
HARDING, LAQUAN E	Black/Not hispanic	Male	
1976-08-13			
Height	Weight	Eye Color	Hair
Color			
73	165	Brown	Black

Address  
1586 OLIVETT CHURCH ROAD APT. 2B, WHITTER, NC, 28789

SMT  
TATTOO LEFT ARM DRAGONS

POB  
UNITED STATES

AKA  
NAME: HARDING, LAQUAN ELLIS  
NAME: HARDING, LAQUAN

DOC  
0755518

Probation/supervision agency  
JACKSON County Probation/Parole, 828-586-7514 after hours contact  
1-888-646-0024

Parole Status  
PROBATION

Caveat  
Active Probation/Parole

\*\*\* This is not a criminal history. This represents the most recent corrections  
information available from this agency. There may be additional corrections  
information available \*\*\*\*\*  
IMAGE :



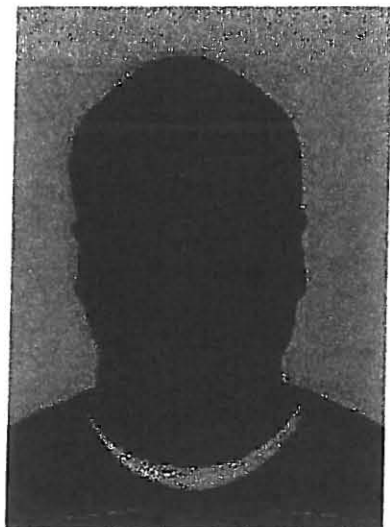


IMAGE CAPTURE DATE: 2013-11-08  
IMAGE CAPTURE TIME: 12:00:00

\*\*

\*\*\* END OF MESSAGE \*\*\*

\*\*\*\*\*

Reference: 045900000R  
Msg Key : QH  
Date/Time: 20140917052017  
Source : III

045900000R.III.QH.20140917052017.  
TO: CHP -019149 20140917 05:20:17 005DB7DAB0  
FROM: III 20140917 05:20:16

3L01022600110A2QH  
NC0870200

THIS NCIC INTERSTATE IDENTIFICATION INDEX MULTIPLE RESPONSE IS THE  
RESULT OF YOUR INQUIRY ON NAM/HARDING, LAQUAN ELLIS SEX/M RAC/B DOB/19760813  
PUR/C ATN/DET JASON CABLE

NAME	FBI NO.	INQUIRY DATE
HARDING, LAQUAN	995260RB2	2014/09/17

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	B	1976/08/13	601	165	BRO	BLK	Y

BIRTH PLACE  
UNKNOWN

FINGERPRINT CLASS          PATTERN CLASS

ALIAS NAMES  
HARDING, LAQUAN LELLIL          ROLLINGS, JAMES ELLIS  
HARDING, LAQUAN ELLIS

SOCIAL SECURITY  
239-23-6585

IDENTIFICATION DATA UPDATED 2002/03/15

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLLOWING:  
NORTH CAROLINA - STATE ID/NC0922586A

END - 1ST NCIC III RECORD OF MULTIPLE RESPONSE

NAME	FBI NO.	INQUIRY DATE
HARDING, LEONARD	104959HB9	2014/09/17

SEX	RACE	BIRTH DATE	HEIGHT	WEIGHT	EYES	HAIR	PHOTO
M	B	1978/08/13	507	180	BRO	BLK	Y

BIRTH PLACE  
PENNSYLVANIA

FINGERPRINT CLASS          PATTERN CLASS  
12 AA TT 07 06  
AA AA AA 08 06

ALIAS NAMES  
MCCLAIN, LEONARD J          MCCLAIN, LEONARD  
HARDING, TYRONE

OTHER  
BIRTH DATES  
1976/06/11

IDENTIFICATION DATA UPDATED 2004/03/05

THE CRIMINAL HISTORY RECORD IS MAINTAINED AND AVAILABLE FROM THE  
FOLLOWING:  
PENNSYLVANIA - STATE ID/PA25341961

END - LAST NCIC III RECORD OF MULTIPLE RESPONSE

THE RECORD(S) CAN BE OBTAINED THROUGH THE INTERSTATE IDENTIFICATION  
INDEX BY USING THE APPROPRIATE NCIC TRANSACTION.

END

\*\*\*\*\*

Reference: 0459000010  
Msg Key : QR  
Date/Time: 20140917052317  
Source : CCHINQ

0459000010.CCHINQ.QR.20140917052317.  
TO: CHP -019155 20140917 05:23:17 18965CAA68  
FROM: CCHINQ 20140917 05:23:17  
TO: NC0870200  
FROM: NC0870200  
Completion Code: HIT010000  
SINGLE HIT (QR)

\*\*\*\*\*  
This Computerized Criminal History Response Is Based On Input Of:  
ORI: NC0870200 Purpose Code: C  
Attention: DET JASON CABLE Operator Id: WEO  
Name: HARDING, LAQUAN ELLIS  
FBI Number: 995260RB2  
\*\*\*\*\*

COMPUTERIZED CRIMINAL HISTORY

Name: HARDING, LAQUAN  
SID: NC0922586A  
FBI Number: 995260RB2  
Race: Black  
Sex: Male  
Date of Birth: 08-13-1976  
Birth Place: NC  
Description: North Carolina  
Height: 6 Ft. 01 In.  
Weight: 170 Lbs.  
Eyes: BROWN  
Hair Color: BLACK

Fingerprint Type: AFIS  
Fingerprint Class: 01RS 02RS 03RS 04RS 05RS 06WU 07LS 08LS 09LS 10LS  
Arrestee DNA Available at NC State Crime Lab: No  
Convicted offender DNA Available at NC State Crime Lab: No  
Social Security Numbers: 239-23-6585

Miscellaneous Numbers: MK-190981

Driver's Licenses: 21911508NC

Alias:  
HARDING, LAQUAN ELLIS  
HARDING, LAQUAN ELLIS  
ROLLINGS, JAMES ELLIS

Cycle 01 Arrested: 05-16-2001 SID: NC0922586A FBI Number: 995260RB2  
Arresting Agency ORI: NC0600000 MECKLENBURG CO SO - CHARLOTTE  
Arrest Name: HARDING, LAQUAN  
Check Digit Number: PM3992D Local Id: 0190981  
Offense Charge: 01 DRUG PARAPHERNALIA - POSSESSION OF MISDEMEANOR  
Violations: 001  
Date of Offense: 05-16-2001  
General Statute: 090-113.220(0) (  
Offense Charge: 02 C/S-SCH VI- P/W/I/S/D MARIJUANA FELONY  
Violations: 001  
Date of Offense: 05-16-2001  
General Statute: 090-095.000(A) (  
Offense Charge: 03 MAINTAIN DWELL/MV KEEP/SELL CONTROLLED SUBSTANCE FELONY  
Violations: 001  
Date of Offense: 05-16-2001  
General Statute: 090-108.000(A) (  
Violations: 001

Court ORI: NC060035J MECKLENBURG CO SUP COURT - CHARL  
Disposition Date: 11-13-2002 Court Docket: 2001CRS020751  
Court Offense: 001 POSSESS DRUG PARAPHERNALIA - MISDEMEANOR  
Date of Offense: 05-16-2001  
General Statute: 90-113.22  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE  
Superior Court Transfer: 08-03-2001  
Special Conditions: KB

Court ORI: NC060035J MECKLENBURG CO SUP COURT - CHARL

Disposition Date: 11-13-2002 Court Docket: 2001CRS020749  
Court Offense: 002 MAINTN VEH/DWELL/PLACE CS (F) - FELONY  
Date of Offense: 05-16-2001  
General Statute: 90-108(A)(7)  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE  
Superior Court Transfer: 08-03-2001  
Special Conditions: KB

Court ORI: NC060035J MECKLENBURG CO SUP COURT - CHARL  
Disposition Date: 11-13-2002 Court Docket: 2001CRS020750  
Court Offense: 003 FELONY POSSESSION MARIJUANA - FELONY  
Date of Offense: 05-16-2001  
General Statute: 90-95(D)(4)  
Plea: GUILTY TO A LESSER DEGREE  
Verdict: GUILTY  
Disposition: Trial By Judge Consolidated: Yes  
Confinement: 5M-6M Time Served: 64 D  
Probation Sentence: 24M Supervised Probation: Y  
Court Costs: \$200  
Restitution: \$80.00  
Structured Sentencing Offense Class: I  
Structured Sentencing Prior Points: 02  
Structured Sentencing Type: COMMUNITY SENTENCE  
Attorney Type: PUBLIC DEFENDER OFFICE Judgement Satisfied: Yes  
Superior Court Transfer: 08-03-2001  
Special Conditions: DOC,12,13,14,17,AAF \$552.00(KB)

Cycle 02 Arrested: 01-26-2002 SID: NC0922586A FBI Number: 995260RB2  
Arresting Agency ORI: NC0600000 MECKLENBURG CO SO - CHARLOTTE  
Arrest Name: HARDING, LAQUAN ELLIS  
Check Digit Number: PQ5422K Local Id: 0190981  
Offense Charge: 01 FALSE IMPRISONMENT MISDEMEANOR  
Violations: 001  
Date of Offense: 05-30-2001  
General Statute: COMMON LAW  
Offense Charge: 02 ASSAULT ON A FEMALE - AGG. PHYS. FORCE MISDEMEANOR  
Violations: 001  
Date of Offense: 01-26-2002  
General Statute: 014-033.000(C)(  
Offense Charge: 03 ASSAULT ON A FEMALE - AGG. PHYS. FORCE MISDEMEANOR  
Violations: 001  
Date of Offense: 05-30-2001  
General Statute: 014-033.000(C)(  
Offense Charge: 04 RESISTING PUBLIC OFFICER MISDEMEANOR  
Violations: 001  
Date of Offense: 01-26-2002  
General Statute: 014-223.000(O)(  
Offense Charge: 05 COMMUNICATING THREATS MISDEMEANOR  
Violations: 001  
Date of Offense: 05-30-2001  
General Statute: 014-277.010(O)(

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 03-06-2002 Court Docket: 2002CR 203965  
Court Offense: 001 RESISTING PUBLIC OFFICER - MISDEMEANOR  
Date of Offense: 01-26-2002  
General Statute: 14-223  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 03-06-2002 Court Docket: 2002CR 203966  
Court Offense: 002 COMMUNICATING THREATS - MISDEMEANOR  
Date of Offense: 05-30-2001  
General Statute: 14-277.1  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 03-06-2002 Court Docket: 2002CR 203967  
Court Offense: 003 ASSAULT ON A FEMALE - MISDEMEANOR  
Date of Offense: 05-30-2001  
General Statute: 14-33(C)(2)  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 03-06-2002 Court Docket: 2002CR 203968

Court Offense: 004 FALSE IMPRISONMENT - MISDEMEANOR  
Date of Offense: 05-30-2001  
General Statute: COMMON LAW  
Disposition: Dismissal Without Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 03-06-2002 Court Docket: 2002CR 203964  
Court Offense: 005 ASSAULT ON A FEMALE - MISDEMEANOR  
Date of Offense: 01-26-2002  
General Statute: 14-33(C)(2)  
Plea: GUILTY  
Verdict: GUILTY  
Disposition: Trial By Judge Consolidated: Yes  
Confinement: 60D Time Served: 25 D  
Probation Sentence: 24M Supervised Probation: Y  
Structured Sentencing Offense Class: A1  
Structured Sentencing Type: COMMUNITY SENTENCE  
Incarceration Location: JAIL  
Special Probation: 015  
Attorney Type: PUBLIC DEFENDER OFFICE  
Special Conditions: WAIVE SUP FEES/REMIT COST/6MTHS INTSVE/COND 12,13,14/CONT  
CURRENT REC TRMT/DO NOT HIT OR THRTN PW/TC

Court ORI: NC060025J MECKLENBURG CO DIST COURT -CHARL  
Disposition Date: 12-08-2006 Court Docket: 2002CR 203964  
Court Offense: 006 MISDEMEANOR PROBATION VIOL - MISDEMEANOR  
Date of Offense: 01-26-2002  
General Statute: 15A-1345  
Disposition: Dismissal With Leave (By DA)  
Attorney Type: PUBLIC DEFENDER OFFICE

Cycle 03 Arrested: 03-22-2012 SID: NC0922586A FBI Number: 995260RB2  
Arresting Agency ORI: NC0500000 JACKSON CO SO - JAIL  
Arrest Name: HARDING, LAQUAN ELLIS  
Check Digit Number: YX1654T  
Fingerprint Number: 1009232012082002  
Booking Number: 390000001724  
Offense Charge: 01 SIMPLE POSSESS SCH VI CS (M) MISDEMEANOR  
General Statute: 90-95(D)(4)  
Offense Charge: 02 POSSESS DRUG PARAPHERNALIA MISDEMEANOR  
General Statute: 90-113.22  
Offense Charge: 03 TRAFFICKING, OPIUM OR HEROIN FELONY  
General Statute: 90-95(H)(4)  
Offense Charge: 04 MAINTN VEH/DWELL/PLACE CS (F) FELONY  
General Statute: 90-108(A)(7)  
Offense Charge: 05 PWIMSD SCH II CS FELONY  
General Statute: 90-95(A)(1)

BASED ONLY ON FBI NUMBER.

THIS CRIMINAL HISTORY IS FOR A SINGLE STATE RECORD.

THIS CRIMINAL HISTORY RECORD INFORMATION ON THE ABOVE-NAMED INDIVIDUAL IS A  
CERTIFIED COPY SUBSTANTIATED BY FINGERPRINTS, AS IT APPEARS IN THE SBI/DCI  
FILES.

STATE/FEDERAL REGULATIONS REQUIRE A ONE-YEAR RECORD OF DISSEMINATION.

\* \* \* CAUTION \* \* \*

CHANGES TO THIS RECORD MAY OCCUR AT ANY TIME AND A NEW INQUIRY SHOULD  
BE MADE FOR SUBSEQUENT USE. THIS RECORD MUST NOT BE USED AFTER 12-16-2014.

\*\*\*\*\*END OF RECORD\*\*\*\*\*

\*\*\*\*\*

Reference: 0459000010  
Msg Key : QR  
Date/Time: 20140917052316  
Source : III

0459000010.III.QR.20140917052316.  
TO: CHP -019154 20140917 05:23:16 005DB7DAC4  
FROM: III 20140917 05:23:16

EL01022600110B2QR  
NC0870200

THIS INTERSTATE IDENTIFICATION INDEX RESPONSE IS THE RESULT OF YOUR  
RECORD REQUEST FOR FBI/995260RB2. THE RECORD MAY BE OBTAINED FROM  
WITHIN YOUR STATE. THE INTERSTATE IDENTIFICATION INDEX CONTAINS  
NO ADDITIONAL DATA.  
END

\*\*\*\*\*

The attached Resolution/Ordinance No. 368 dated October 13, 2014 was:

PASSED ( ☒ )

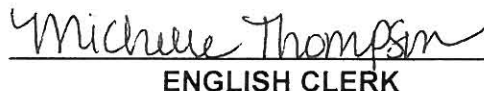
KILLED ( ☐ )

and ratified in open Council on October 13, 2013 by 93 voting for the act  
and 0 members voting against it as follows:

VOTE	FOR	AGAINST	ABSTAIN	ABSENT
Teresa McCoy	X			
Perry Shell				X
Tunney Crowe	X			
Alan B. Ensley	X			
David Wolfe	X			
Bill Taylor	X			
Terri Henry	X			
Brandon Jones	X			
Adam Wachacha	X			
Bo Crowe	X			
Albert Rose	X			
Tommye Saunooke	X			
TOTAL	93	0	0	7



TRIBAL COUNCIL CHAIRWOMAN



ENGLISH CLERK



PRINCIPAL CHIEF

APPROVED ( ☒ ) VETOED ( ☐ )

VETO UPHELD ( ☐ ) VETO DENIED ( ☒ )

DATE: 10-20-14

I hereby certify that the foregoing act of the Council was duly:

PASSED ( ☒ )

KILLED ( ☐ )

and ratified in open Council after the same has been interpreted by the Official Interpreter and  
has been fully and freely discussed.

In testimony, whereof, I have hereunto set my hand and affixed the seal of the said Band  
of Indians. Superintendent, Cherokee Indian Agency.

\_\_\_\_\_  
INTERPRETED ( ☐ )

  
OMITTED ( ☐ )