

NORTH CAROLINA UNIFORM CITATION - COURT COPY	Citation No. 826H304
STATE OF NORTH CAROLINA <u>Haywood</u> County District Court File No. <u>2022CR 702451</u>	

TO THE DEFENDANT NAMED BELOW: You have been charged with the misdemeanor(s) or infraction(s) specified below. Read this Citation carefully.

YOUR COURT DATE AND LOCATION						
Court Day Of Week Thu	Date 11/03/2022	Appear In Court 08:30AM	Court Location WAYNESVILLE	Courtroom 0001	Interpreter	Agency Case Number

THE STATE OF NORTH CAROLINA VS.

Drivers License No. [not included on this copy]	State NC	Source DL	Name Of Defendant KOTT, NICOLE DENISE			Race White
CDL No	Class C	Address 217 ASSEMBLY ST				Sex Female
Social Security No. [not included on this copy]	City WAYNESVILLE	State NC	Zip 28786	Date Of Birth 12/21/1985	Age 36	

WHAT YOU ARE CHARGED WITH

See Side Two for the charge(s) against you in this Citation.

YOUR VEHICLE						
Vehicle License No. JKC8510	State NC	Trailer Type	CMV No	Vehicle Type Passenger (2 or 4-Door Sedan)	Make Toyota	Year 2011
				Haz. Mat. No		

OTHER INFORMATION						
Area Residential	Weather Overcast	Visibility Clear	Traffic Light	Accident I-01	Speed A 70	
<input checked="" type="checkbox"/> Injury or Serious Injury	SHP Code 02	On Highway No./Street US 276				
<input type="checkbox"/> Passenger(s) Under 18						

In Vicinity/City Of CANTON	At/Near Intersection SR1105 MUNDY FIELD
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CHARGING OFFICER INFORMATION					
Date 07/09/2022	Signature Of Officer Trp. JOSEPH HENDERSON	No. 1644	Law Enforcement Agency STATE HIGHWAY PATROL	Troop/Squad G	District/Zone 5

WITNESSES			OFFICER COMMENTS
Witness #1	Witness #2	Witness #3	<p>TOO FAST FOR THE CURVE NEAR THE TOMATO PACKING HOUSE RAN OFF TO THE RIGHT, HIT TWO MAILBOXES, GOING DOWN THROUGH THE WOODS AND STRIKING A TREE. NO SEATBELT. OPEN COLD BOTTLE OF MICH ULTRA GOLD, SEVERAL BEER BOTTLE LIDS. TWO EMPTY BOOT LEGGER BOTTLES ONE PEACH ONE RASPBERRY. HUSBAND STATED SHE WAS DRINKING AT THE RIVER. HE MADE THE KIDS RIDE WITH HIM HE GUESSED HE SHOULD HAVE MADE HER.</p>

(Over)

WHAT YOU ARE CHARGED WITH

Count 1. The officer named on Side One has probable cause to believe that on or about Saturday, the 09 day of July, 2022 at 10:30PM in the county named above you did unlawfully and willfully
 OPERATE A MOTOR VEHICLE ON A STREET OR HIGHWAY WHILE SUBJECT TO AN IMPAIRING SUBSTANCE. (G.S. 20-138.1)

Count 2. and on or about Saturday, the 09 day of July, 2022 at 10:30PM in the county named above you did unlawfully and willfully
 OPERATE A MOTOR VEHICLE ON A STREET OR HIGHWAY CARELESSLY AND HEEDLESSLY IN WILLFUL AND WANTON DISREGARD OF THE RIGHTS AND SAFETY OF OTHERS. (G.S. 20-140(A))

Count 3. and on or about Saturday, the 09 day of July, 2022 at 10:30PM in the county named above you did unlawfully and willfully
 OPERATE A MOTOR VEHICLE ON A STREET OR HIGHWAY IN FORWARD MOTION WITHOUT HAVING THE PROVIDED SEAT BELT PROPERLY FASTENED ABOUT THE DEFENDANT'S BODY WHILE THE DEFENDANT WAS THE DRIVER OF THE MOTOR VEHICLE. (G.S. 20-135.2A)

Count 4. and on or about Saturday, the 09 day of July, 2022 at 10:30PM in the county named above you did unlawfully and willfully
 CONSUME AN ALCOHOLIC BEVERAGE IN THE PASSENGER AREA OF A MOTOR VEHICLE ON A STREET OR HIGHWAY. (G.S. 20-138.7(A1))

Count 5. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

Count 6. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

Count 7. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

Count 8. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

Count 9. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

Count 10. and on or about _____, the ____ day of _____, ____ at _____ in the county named above you did unlawfully and willfully

STATE OF NORTH CAROLINA

File No. 2022CR 702451

Haywood County

Citation No. 826H304

STATE VERSUS

In The General Court Of Justice District Court Division

Name Of Defendant KOTT, NICOLE DENISE

NOTE: Use this page to enter judgment on a Citation. Use this Judgment page only if imposing a single, consolidated judgment for all offenses of conviction charged under this file number. Do not use this Judgment page to impose sentence: (i) if imposing separate judgments for separate offenses of conviction charged under this file number; (ii) to impose supervised probation; or (iii) for DWI sentences under G.S. 20-179. For DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). For structured sentencing offenses, use AOC-CR-602 (active) or AOC-CR-604 (probation).

JUDGMENT

District Attorney [] Def. Waived Attorney [] Def. Found Not Indigent [] Def. Denied Appointed Counsel [] Appointed [] Retained

PRIOR CONVICTIONS: No. Level: 0 [] I (0) [] II (1-4) [] III (5+) []

OFFENSES: The following offenses, which are set forth by Count No. in the Citation numbered above for the defendant named above, are the subject of this Judgment:

- Count 1. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 2. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 3. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 4. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 5. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 6. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 7. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 8. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 9. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3
Count 10. PLEA: [] guilty/resp. [] not guilty/resp. [] no contest ... FINDING/VERDICT: [] guilty/resp. [] not guilty/resp. [] VD ... M.CL.: [] A1 [] 1 [] 2 [] 3

(Over)

Haywood County	File No. 2022CR 702451
STATE VERSUS	Citation No. 826H304
Name Of Defendant KOTT, NICOLE DENISE	

***NOTE:** Use this Judgment page only if imposing a *single, consolidated judgment* for all offenses of conviction charged under this file number. Do not use this Judgment page to impose sentence: (i) if imposing separate judgments for separate offenses of conviction charged under this file number; (ii) to impose supervised probation; or (iii) for DWI sentences under G.S. 20-179. For DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). For structured sentencing offenses, use AOC-CR-602 (active) or AOC-CR-604 (probation).

JUDGMENT (continued)

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the plea(s) on Side One; on the verdict(s)/finding(s) from Side One, it is **ORDERED** that all offenses of conviction, if more than one, be consolidated for judgment with Count No. _____ (list count of lead offense) and that the defendant:

- | | | |
|--|------------------------------------|-------------------|
| <input type="checkbox"/> pay the following fine/penalty and costs: | Amount Of Fine/Penalty
\$ _____ | Costs
\$ _____ |
|--|------------------------------------|-------------------|
- be imprisoned for a term of _____ days in custody of the sheriff. MCP. Other:* _____
Pretrial credit _____ days served.
- Work release is recommended is not recommended. (NOTE: To order work release, use form AOC-CR-602 to impose judgment.)
- The Court finds that a longer shorter period of probation than that which is specified in G.S. 15A-1343.2(d) is necessary.
- 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. Submit to the taking of digitized photographs, including photographs of the defendant's face, scars, marks, and tattoos, to be included in the defendant's records.
 6. pay to the Clerk the costs of court and any additional sums shown below.

Costs	Fine	Restitution**	Attorney's Fee	Community Service Fee	Other	Total Amount Due
\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

**Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution: (NOTE TO CLERK: Record SSN or Tax ID No. of aggrieved party(ies) on AOC-CR-382, "Certification Of Identity (Victims' Restitution)/Certification Of Identity (Witness Attendance).")

7. complete _____ hours of community service during the first _____ days of probation, as directed by the judicial services coordinator, and pay the fee prescribed by G.S. 143B-708 within _____ days.
8. not be found in or on the premises of the complainant or _____
9. not assault, communicate with or be in the presence of the complainant or _____
10. provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)
11. not operate a motor vehicle until properly licensed by DMV.
12. Other: _____

The Court finds just cause to waive costs as ordered on attached AOC-CR-415. AOC-CR-618. 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.

Date	Name Of District Court Judge Or Magistrate (type or print)	Signature Of District Court Judge Or Magistrate
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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	Name Of District Court Judge Or Magistrate (type or print)	Signature Of District Court Judge Or Magistrate
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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"/> Asst. CSC <input type="checkbox"/> Clerk Of Superior Court
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