

From: Williams, Todd M.
Sent: Fri, 28 Oct 2022 01:29:29 +0000
To: Cooley Dismukes, Leslie
Cc: Broughton, Amy L.; Denninger, David H.; Zellinger, Benjamin
Subject: Re: Request for Special Prosecution assistance

Leslie: All are indicted and in Superior Court. None has a trial date set. The oldest -- Bascom/Burton/McDay -- has new defense attorneys in the case, but discovery is complete and otherwise ready for a plea offer, if deemed appropriate, to be made and trial date set if rejected. The other cases are relatively new with no plea offers or trial dates set at this time.

If you need more detail, perhaps we should chat. Thanks for your consideration, Todd

Todd M. Williams
District Attorney
40th Prosecutorial District
P.O. Box 7158
Asheville, N.C. 28802

O 828-259-3410
F 828-259-3411

BuncombeDA.org

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From: Cooley Dismukes, Leslie <LDismukes@ncdoj.gov>
Sent: Thursday, October 27, 2022 12:54 PM
To: Williams, Todd M. <todd.m.williams@nccourts.org>
Cc: Broughton, Amy L. <amy.l.broughton@nccourts.org>; Denninger, David H. <david.h.denninger@nccourts.org>; Zellinger, Benjamin <Bzellinger@ncdoj.gov>
Subject: RE: Request for Special Prosecution assistance

Thanks, Todd, for this information. Can you let me know the procedural posture of each defendant?

Best,
Leslie



Leslie Cooley Dismukes
Criminal Bureau Chief
North Carolina Department of Justice
Office: (919) 716-6560
Cell: (704) 577-6968
ldismukes@ncdoj.gov
114 W. Edenton St., Raleigh, NC 27603
ncdoj.gov

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Cc: Broughton, Amy L. <amy.l.broughton@nccourts.org>; Denninger, David H. <david.h.denninger@nccourts.org>; Zellinger, Benjamin <Bzellinger@ncdoj.gov>
Subject: Request for Special Prosecution assistance

Dear Leslie,

Since December of last year three out of five of our most experienced ADAs with murder trial experience have left the Office (another mid-level ADA just left last month). We still have the experience and the capacity to handle a number of homicides but we are significantly stretched at this time and request assistance.

After consultation with my staff, the 40th Prosecutorial District DA asks pursuant to NCGS 114-11.6 that NC AG Special Prosecutions consider acceptance of the homicides below. Assistance in these cases would be of significant value to local prosecutors because: 1) Logan and Nesanet have legal process out of County/State; or 2) the homicides involve multiple defendants; and 3) all defendants are now in BCDF custody.

I'll include pending Buncombe charges as shown in ACIS below the defendant's name, date of offense for the homicide, and a URL citing to publicly released facts (again, we're asking that you take the murders and charges related to the murder not necessarily all pending charges for each defendant but we can certainly discuss further as needed):

1 – Alfred Logan: offense date 11/17/2021
LOGAN,ALFRED,LOUI A FIRST DEGREE MURDER 0710 103122 51 21CRS090114

Mr. Logan is charged capitally in Alabama. In addition after being charged in Buncombe, Logan was sent to safe-keeping in Central Prison and charged with murder in Wake County (22CRS002512).

<https://wlos.com/news/local/arden-homicide-investigation-alfred-louis-logan-jr-arrested-update>

2 -- Menelik Tefari Nesanet: offense date 7/15/2022

NESANET,MENELIK T A DISCHARGE WEAPON OCCUPIED PRO0710 103122 51 22CRS258597
NESANET,MENELIK,T A FIRST DEGREE MURDER 0710 103122 51 22CRS086007
NESANET,MENELIK,T A ATTEMPT FIRST DEGREE MURDER 0710 103122 51 22CRS086008
NESANET,MENELIK,T A AWDWIKISI 0710 103122 51 22CRS086009

In addition, Mr. Nesanet has similar outstanding criminal process pending in Danville VA per:
<https://www.danvilleva.gov/DocumentCenter/View/18970/Active-Warrant-List?bidId=>

This shooting took place outside of public housing in a crowd of people – no known motive.
<https://wlos.com/news/local/asheville-shooting-homicide-armed-dangerous-suspect-identified-one-dead-critical-condition-investigation-wanted>

3 -- Sherwayne Bascom, Tyran Burton, and Dajour McDay: offense date 4/3/2020

BASCOM,SHERWAYNE, A AWDWIKISI 0510 102422 51 20CRS000118
BASCOM,SHERWAYNE, A FIRST DEGREE MURDER 0510 102422 01 20CR 083569
BASCOM,SHERWAYNE, A FIRST DEGREE MURDER 0510 102422 51 20CRS083569
BASCOM,SHERWAYNE, A ATTEMPT FIRST DEGREE MURDER 0510 102422 01 20CR 083570
BASCOM,SHERWAYNE, A ATTEMPT FIRST DEGREE MURDER 0510 102422 51 20CRS083570
BASCOM,SHERWAYNE, A ROBBERY WITH DANGEROUS WEAPON0510 102422 01 20CR 083571
BASCOM,SHERWAYNE, A ROBBERY WITH DANGEROUS WEAPON0510 102422 51 20CRS083571
BASCOM,SHERWAYNE, A POSSESSION OF FIREARM BY FELO0510 102422 01 20CR 083574
BASCOM,SHERWAYNE, A POSSESSION OF FIREARM BY FELO0510 102422 51 20CRS083574
BASCOM,SHERWAYNE, A ASSAULT GOVT OFFICIAL/EMPTY 001A 121622 01 20CR 087108
BASCOM,SHERWAYNE, A ASSAULT PHY INJ LE/PROB/PAR O0510 102422 51 21CRS088932
BURTON,TYRAN,DEWA A VIOLENT HABITUAL FELON 0710 022822 51 20CRS000120
BURTON,TYRAN,DEWA A FIRST DEGREE MURDER 0710 022822 51 20CRS000128
BURTON,TYRAN,DEWA A AWDWIKISI 0710 022822 51 20CRS000129
BURTON,TYRAN,DEWA A ATTEMPT FIRST DEGREE MURDER 0710 022822 51 20CRS000130
BURTON,TYRAN,DEWA A POSSESSION OF FIREARM BY FELO0710 022822 51 20CRS000131
BURTON,TYRAN,DEWA A ROBBERY WITH DANGEROUS WEAPON0710 022822 51 20CRS052007
MCDAY,DA'JOUR,JOH A AWDWIKISI 0510 110722 51 20CRS000119
MCDAY,DA'JOUR,JOH A FEL PROB VIOL OUT OF COUNTY 0510 121522 51 20CRS000894
MCDAY,DA'JOUR,JOH A FIRST DEGREE MURDER 0510 110722 51 20CRS083475
MCDAY,DA'JOUR,JOH A ATTEMPT FIRST DEGREE MURDER 0510 110722 51 20CRS083572
MCDAY,DA'JOUR,JOH A ROBBERY WITH DANGEROUS WEAPON0510 110722 51 20CRS083573
MCDAY,DA'JOUR,JOH A POSSESSION OF FIREARM BY FELO0510 110722 51 20CRS083575

These three are charged in relation to a home invasion that arose from a dispute over a dice game. One victim is deceased the other was shot but survived.

<https://wlos.com/news/local/man-involved-in-shooting-at-pisgah-view-apartments-indicted-for-first-degree-murder#>

4 – Cross Lamarr Beaver, Carmen Renee Gillespie, Willie James Byrd – offense date 9/27/2021

BEAVER,CROSS,LAMA A FIRST DEGREE MURDER 0510 071822 51 21CRS088736
BEAVER,CROSS,LAMA A BREAK/ENTER TERRORIZE/INJURE 0510 071822 51 21CRS088737
GILLESPIE,CARMEN, A BREAKING AND OR ENTERING (F) 0510 120522 51 18CRS088144

GILLESPIE,CARMEN, A LARCENY AFTER BREAK/ENTER 0510 120522 52 18CRS088144
GILLESPIE,CARMEN, A POSSESSION OF FIREARM BY FELO0510 120522 51 21CRS088409
GILLESPIE,CARMEN, A POSSESSION OF FIREARM BY FELO003B 120722 01 21CR 088410
GILLESPIE,CARMEN, A POSSESSION OF FIREARM BY FELO003B 120722 01 21CR 088411
GILLESPIE,CARMEN, A POSSESSION OF FIREARM BY FELO0510 120522 51 21CRS088572
GILLESPIE,CARMEN, A POSSESS STOLEN FIREARM 0510 120522 51 21CRS088573
GILLESPIE,CARMEN, A TRAFFICKING, OPIUM OR HEROIN 0510 120522 51 21CRS088581
GILLESPIE,CARMEN, A PWISD HEROIN 0510 120522 51 21CRS088582
GILLESPIE,CARMEN, A MAINTN VEH/DWELL/PLACE CS (F)0510 120522 51 21CRS088583
GILLESPIE,CARMEN, A PWISD SCH II CS 0510 120522 51 21CRS088584
GILLESPIE,CARMEN, A TRAFFICK IN METHAMPHETAMINE 0510 120522 51 21CRS088585
GILLESPIE,CARMEN, A FIRST DEGREE MURDER 0510 120522 51 21CRS088741
GILLESPIE,CARMEN, A ROBBERY WITH DANGEROUS WEAPON0510 120522 51 21CRS088742
GILLESPIE,CARMEN, A BREAK/ENTER TERRORIZE/INJURE 0510 120522 51 21CRS088743
BYRD,WILLIE,JAMES A POSSESS STOLEN FIREARM 0510 071822 51 21CRS088574
BYRD,WILLIE,JAMES A TRAFFICK IN METHAMPHETAMINE 0710 080122 51 21CRS088589
BYRD,WILLIE,JAMES A MAINTN VEH/DWELL/PLACE CS (F)0710 080122 51 21CRS088591
BYRD,WILLIE,JAMES A FIRST DEGREE MURDER 0510 071822 51 21CRS088738
BYRD,WILLIE,JAMES A ROBBERY WITH DANGEROUS WEAPON0510 071822 51 21CRS088739
BYRD,WILLIE,JAMES A BREAK/ENTER TERRORIZE/INJURE 0510 071822 51 21CRS088740

This homicide is related to money owed Gillespie in a drug deal.

<https://wlos.com/news/local/three-charged-in-buncombe-county-homicide-third-homicide-of-2021-boyce-shane-plemmons-willie-james-byrd-jr-cross-lamarr-beaver-carmen-renee-gillespie>



Todd Williams
Buncombe County District Attorney
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www.buncombeda.org

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