

STATE OF NORTH CAROLINA

In The General Court Of Justice

GASTON

County

EXEMPLIFICATION

28 U.S.C. 1738

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the attached copies of the documents described below are true and accurate copies of the originals now on file in this office.

Number And Description Of Attached Documents 23-CRS-1731

AOC-CR-133

AOC-CR-215

AOC-CR-217

AOC-CR-200

AOC-CR-201



Date

2.1.24

Clerk Of Superior Court

K. ROXANN RANKIN

Name Of Undersigned Clerk (type or print)

Lisa Byerly

Signature

☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

As a Judge of the General Court of Justice, State of North Carolina, I certify that the signature appearing above is that of the Clerk, Assistant Clerk, or Deputy Clerk of Superior Court for this County, who is duly sworn. I further certify that the seal affixed to the certificate appearing above is the seal of this Court and that it has been used here in good form by the proper officer.

Date

2-1-24

Signature Of Judge

Name Of Judge (type or print)

DAVID A. PHILLIPS

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the signature appearing above is that of a duly sworn Judge of the General Court of Justice, State of North Carolina.



Date

2-1-2024

Clerk Of Superior Court

K. ROXANN RANKIN

Name Of Undersigned Clerk (type or print)

Geri Queen

Signature

☒ Assistant CSC ☐ Clerk Of Superior Court

STATE OF NORTH CAROLINA

File No.

Gaston

County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

INDICTMENT

Name And Address Of Defendant

Brandy Chenell Ashby a/k/a Brandy Chenell Brown
806 West Central Avenue Unit 1072
Mount Holly, NC 28120

- ☒ I. FORGERY (2520)
☒ II. UTTERING FORGED PAPER (2524)

Race B	Sex F	Date Of Birth 07/07/1974
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☐ This is a superseding indictment.

Date Of Offense 04/10/2023	Offense In Violation Of G.S. 14-119, 14-120
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G.S. 14-119, 14-120

I. The jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did forge, falsely make, and counterfeit a
IRS Form 1099A

which was apparently capable of effecting a fraud and which is described as follows:

IRS Form 1099A identifying the Brandy Chenell Ashby Estate, Lender TIN of 83-6332077, as a lender of \$10,000,000.00 to David A. Phillips, Borrower and dated 4/10/2023.

The forgery, false making, and counterfeiting consisted of the following:

The defendant completed the IRS Form 1099A fraudulently indicating a debt of \$10,000,000.00 owed by David A. Phillips without the authorization of David A. Phillips. The Defendant acted without authority and with the intent to injure and defraud.

(NOTE: Instead of describing the instrument with words and figures in Count I, you may attach the instrument or a photocopy of it to the Bill of Indictment. If you do so, make reference to the attachment in the space provided for the description.)

II. And the jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did utter, publish, pass, and deliver as true the forged, falsely made, and counterfeit instrument which is described in Count I above. The defendant acted for the sake of gain and with the intent to injure and defraud and with knowledge that the instrument, which was apparently capable of effecting a fraud, was forged, falsely made, and counterfeit.

NOTE: Forgery of an Endorsement under G.S. 14-120 and Uttering a Forged Endorsement under G.S. 14-120 should not be charged with this indictment form.

Signature Of Prosecutor

WITNESSES

☒ J. A. Alderman, State Bureau of Investigation☐☐☐☐☐☐☐

The Witnesses marked "X" were sworn by the undersigned Foreperson of the Grand Jury and, after hearing testimony, this Bill was found to be:

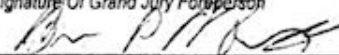
☒ A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreperson of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

☐ NOT A TRUE BILL.

Date

12/11/23

Signature Of Grand Jury Foreperson



STATE OF NORTH CAROLINA

File No.

23 CRS 001731

GASTON

County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

Name And Address Of Defendant

ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY NC 28120

NOTICE OF RETURN OF BILL OF INDICTMENT

G.S. 15A-630, 15A-941(d)

To The Defendant Named Above:

Take notice that the grand jury of the county named above has returned the attached True Bill(s) of Indictment charging you with the offense(s) specified.

You are informed that there are important time limitations on your right to discovery of the evidence against you. (See G.S. 15A-902, which is printed on the reverse.)

This Notice is issued upon the order of the presiding judge.

You will be arraigned on the charges contained in this Indictment only if you file a written request for arraignment with the Clerk of Superior Court not later than twenty-one (21) days after the Indictment is served on you. If you do not file a written request for arraignment within that time, the court will enter a not guilty plea on your behalf.

You must appear in Superior Court at the date, time and place shown below to answer the charges in this Indictment.

NOTE: If an earlier court date is set in a release order, you must appear at that time also.

Date Of Hearing	Time Of Hearing ☐ AM ☐ PM	Place Of Hearing
NOTE: Attach True Bill(s) of Indictment and a copy of the Order of Arrest, if appropriate.		Date Issued 20231212
		Signature
		☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

CERTIFICATE OF NOTICE

I certify that I issued a copy of this Notice to the defendant named above at the address shown by:

- ☐ 1. Mailing it through the U.S. Postal Service.
- ☒ 2. Attaching it to an Order for Arrest to be served on the defendant.

NOTE TO COURT: An Order for Arrest shall **not** be issued for an indicted juvenile whose case began in juvenile court and for which the district court has not yet entered an order for transfer to superior court pursuant to G.S. 7B-2200 or G.S. 7B-2200.5(a)(1).

An Order for Arrest may be issued for a juvenile indicted and subject to adult criminal court jurisdiction:

- pursuant to G.S. 7B-1501(7)b. (indicted for Chapter 20 motor vehicle offense).
- pursuant to G.S. 7B-1604(b) (i.e., the 'once an adult, always an adult' rule), based on a prior criminal conviction as an adult for
 - (i) any felony or
 - (ii) any non-motor vehicle misdemeanor or
 - (iii) any misdemeanor or infraction involving impaired driving as defined in G.S. 20-4.01(24a).

- ☐ 3. Other: (specify)

Date 12-12-23	Signature 	☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
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Original-File Copy-Defendant
(Over)

G.S. 15A-902 Discovery Procedure

- (a) A party seeking discovery under this Article must, before filing any motion before a judge, request in writing that the other party comply voluntarily with the discovery request. A written request is not required if the parties agree in writing to voluntarily comply with the provisions of Article 48 of Chapter 15A of the General Statutes. Upon receiving a negative or unsatisfactory response or upon the passage of seven days following the receipt of the request without response, the party requesting discovery may file a motion for discovery under the provisions of this Article concerning any matter as to which voluntary discovery was not made pursuant to request.
- (b) To the extent that discovery authorized in this Article is voluntarily made in response to a request or written agreement, the discovery is deemed to have been made under an order of the court for the purposes of this Article.
- (c) A motion for discovery under this Article must be heard before a superior court judge.
- (d) If a defendant is represented by counsel, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after either the probable-cause hearing or the date the defendant waives the hearing. If a defendant is not represented by counsel, or is indicted or consents to the filing of a bill of information before the defendant has been afforded or waived a probable-cause hearing, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after the later of:
- (1) The defendant's consent to be tried upon a bill of information, or the service of notice upon the defendant that a true bill of indictment has been found by the grand jury, or
 - (2) The appointment of counsel.
- For the purposes of this subsection a defendant is represented by counsel only if counsel was retained by or appointed for the defendant prior to or during a probable-cause hearing or prior to execution by the defendant of a waiver of a probable-cause hearing.
- (e) The State may as a matter of right request voluntary discovery from the defendant, when authorized under this Article, at any time not later than the tenth working day after disclosure by the State with respect to the category of discovery in question.
- (f) A motion for discovery made at any time prior to trial may be entertained if the parties so stipulate or if the judge for good cause shown determines that the motion should be allowed in whole or in part.*

G.S. 15A-941(d) Arraignment Before Judge Only Upon Written Request

- (d) A defendant will be arraigned in accordance with this section only if the defendant files a written request with the clerk of superior court for an arraignment not later than 21 days after service of the bill of indictment. If a bill of indictment is not required to be served pursuant to G.S. 15A-630, then the written request for arraignment must be filed not later than 21 days from the date of the return of the indictment as a true bill. Upon the return of the indictment as a true bill, the court must immediately cause notice of the 21-day time limit within which the defendant may request an arraignment to be mailed or otherwise given to the defendant and to the defendant's counsel of record, if any. If the defendant does not file a written request for arraignment, then the court shall enter a not guilty plea on behalf of the defendant.*

File No
23CRS001731-350

Law Enforcement Case No

LID No.

ORDER FOR ARREST

OF A-23-861867

THE STATE OF NORTH CAROLINA VS.

Name, Address & Telephone No. Of Defendant

BRANDY CHENELL ASHBY

806 WEST CENTRAL AVE

UNIT 1072

MOUNT HOLLY

NC

28120

STATE OF NORTH CAROLINA

GASTON

County

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

To any officer with authority and jurisdiction to serve an Order For Arrest:
The Court finds that:

- ☐ 1. FTA - RELEASE ORDER (G.S. 15A-305(b)(2)) the defendant has been arrested and released from custody and has failed on the date shown to appear as required by the Release Order.
☐ This is the defendant's second or subsequent failure to appear on these charges.
- ☐ 2. FTA - CRIMINAL SUMMONS OR CITATION (Do not use for infraction) (G.S. 15A-305(b)(3)) the defendant has failed on the date shown to appear as required by a duly executed Criminal Summons or by a Citation that charged the defendant with a misdemeanor.
- ☒ 3. TRUE BILL OF INDICTMENT (G.S. 15A-305(b)(1)) a Grand Jury has returned a true bill of indictment against the defendant, a copy of which is attached. [Note To Arresting Officer: If this option is checked, defendant must be fingerprinted. G.S. 15A-502(a).]
- ☐ 4. FTA - SHOW CAUSE AFTER FTC (G.S. 15A-305(b)(8)) the defendant has failed on the date shown to appear as required in a Show Cause Order entered in this criminal proceeding.
- ☐ 5. FTA - SHOW CAUSE ORDER IN ORIGINAL CRIMINAL JUDGMENT (G.S. 15A-305(b)(8); -1362(c); -1364(a)) the defendant has failed by the date shown to pay a fine or costs or both as required by a judgment entered in this case and has also failed, as required upon such failure, to appear on that date and show cause why the defendant should not be imprisoned.
- ☐ 6. PROBABLE CAUSE THAT DEFENDANT MAY FAIL TO APPEAR - CRIMINAL CONTEMPT (G.S. 15A-305(b)(9); 5A-16) this Court has initiated plenary proceedings for contempt against the defendant under G.S. 5A-16, has issued a show cause order and finds probable cause to believe that the defendant will not appear as required in response to that order.
- ☐ 7. PROBATION VIOLATION (G.S. 15A-305(b)(4); -1345(a)) the probation officer has provided the Court with a written statement, signed by the probation officer, alleging that the defendant has violated specified conditions of the defendant's probation and a copy of the written statement is attached.
- ☐ 8. Other: (specify)

Date Defendant Failed To Appear

Amount Of Bond
Type Of Bond
Official's Discretion

OFFENSE(S)

Count No.	Offense	In Violation of G.S.	Code	Count No.	Offense	In Violation of G.S.	Code
51	F - FORGERY OF INSTRUMENT	14-119(A)	2520				
52	F - UTTERING FORGED INSTRUMENT	14-120	2524				

TRUE BILL OF INDICTMENT ONLY

Date Of Arrest & Check Digit No. (as shown on fingerprint card)

You are DIRECTED to take the defendant into custody and bring the defendant before a judicial official for the purpose of:
☒ determining conditions of release, and for commitment if the defendant is unable to comply.
☐ commitment since release of the defendant is not authorized.

Name Of Issuing Official

Rankin, K. Roxann, by and through Christopher Madden

Date Of Offense

04/10/2023

Date Issued

12/12/2023

Signature

Christopher Madden

Location Of Court

Court Date

Magistrate

Assi. CSC

Deputy CSC

Clerk Of Superior Court

DC Judge

SC Judge

Court Time

See other panel for response, may file
Rev. 3/23, © 2023 Administrative Office of the Courts

FILED
JAN 26 A 8 38
CLERK OF SUPERIOR COURT
GASTON CO. N.C.

STATE OF NC
Gaston County
Name And
ASHBY
806 907

GASTON County

23CRS001731-350

JAN ANDY CHENELL ASHBY

Date Of Issuance Of Order For Arrest
12/12/2023

If the Order For Arrest is not served within one hundred and eighty (180) days, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon.

RETURN OF SERVICE

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
1/25/24	1/25/24	1300	1/25/24

☒ By arresting the defendant and bringing the defendant before:

Name Of Judicial Official
Magistrate

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

[Signature]

Name Of Officer (type or print)

S.M. Dodd 058c

Department Or Agency Of Officer

Gaston County PD.

Date

Name Of Clerk (type or print)

REDELIVERY/REISSUANCE

☐ Deputy CSC

☐ Assistant CSC

☐ Clerk Of Superior Court

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received	Date Served	Time Served	Date Returned
---------------	-------------	-------------	---------------

☐ By arresting the defendant and bringing the defendant before:

Name Of Judicial Official

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

Name Of Officer (type or print)

Department Or Agency Of Officer

BRANDY CHENELL

STATE OF NORTH CAROLINA

File No.
23CRS001731-350-M

Gaston County

In The General Court Of Justice
Superior Court Division

Name And Mailing Address Of Defendant
ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY NC 28120

FILED
APPEARANCE BOND
2024 JAN 31 A.M. 10
FOR
PRETRIAL RELEASE

GASTON CO. C.S.C.

G.S. 15A-531, 15A-534, 15A-544.2

Telephone No. Of Defendant

Total Bond Required

25,000.00

Amount Of This Bond

25,000.00

Bond No.

24B014493

File Numbers And Offenses

23CRS001731-350-M

FORGERY OF INSTRUMENT

UTTERING FORGED INSTRUMENT

☐ See Additional File Numbers And Offenses on Side Two, for which appearance is secured by this Bond.

☒ **Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this Bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. (For cash bond, see notes on reverse side.)

INSURANCE COMPANY

Name Of Insurance Company

FINANCIAL CASUALTY & SURETY INC

Name Of Bail Agent

TUCKER, SANITA, A

Power Of Appointment No. Of Bail Agent

License No. Of Bail Agent

0017841524

Telephone No.

704-779-8996

DEFENDANT AND SURETY SIGNATURES

Date Of Execution Of Bond

01/30/2024

Signature Of Defendant (required for all appearance bonds)

101 Ashby Brandy Chenell by Brown, Brandy-Chenell
w/o recourse

Signature Of Surety

Signature Of Surety

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

01/30/2024

Signature

Date

Signature

☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

☐ Custodian Of Detention Facility (G.S. 15A-537(c))

☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

☐ Custodian Of Detention Facility (G.S. 15A-537(c))

NOTE: If cash deposited, see notes on reverse side. (see AOC-CR-238 if release after judgment in superior court)
AOC-CR-201 (ICMS), Rev. 2/21
© 2021 Administrative Office of the Courts

Original - File
(Over)

30-Jun-24
 Suite 250, House
 FCSurety@fcsurety.com
 ALL MEN BY
 constitute and
 appearance be
 or any other c

CONDITIONS
The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required. It is agreed that this Bond is effective and binding upon the defendant and each surety throughout all stages of the proceedings in the trial divisions of the Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court, unless earlier by operation of law or order of the court. If the defendant appears as ordered until termination of the Bond, then the bond is to be void, but if the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes. Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-201A, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

ADDITIONAL FILE NUMBERS AND OFFENSES
Additional File Numbers And Offenses

☐ See Additional File Numbers And Offenses on attached AOC-CR-201A, Side Two, for which appearance is secured by this Bond.

AFFIDAVIT
NOTE: "Professional bondsmen, surety bondsmen [bail agents], and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(d). Check all options that apply. ☐ 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond. ☐ 2. I have been promised a premium in the amount shown below, which is due on the date shown below. ☐ 3. I have received a premium in the amount shown below. ☐ 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$ <u>2500</u>	Date Premium Due <u>1-30-24</u>	Amount Of Premium Received \$ <u>2500</u>
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value
AFFIX BONDSMAN'S SEAL OR POWER OF ATTORNEY CERTIFICATE HERE FCS25-2699495		

RETURN OF CUSTODIAN OF DETENTION FACILITY			
The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.			
Date Defendant Released <u>1/30/24</u>	Name Of Custodian (type or print) <u>[Signature]</u>	Signature Of Custodian <u>[Signature]</u>	☐ Sheriff ☐ Deputy Sheriff ☐ Other _____

NOTES ON CASH BONDS:

(1) **To Official Taking The Bond.** Use this form for all cash bonds. Complete this form as follows:

When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Cash Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.

When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have defendant sign. Enter name, address and telephone number of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature Of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.

(2) **To Bookkeeper.** If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."

(3) **Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support.** G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.

30-JUN-24

250, Houston, TX 77098
FCSurety@fcsurety.com

State or Municipal Court
POWER OF ATTORNEY
Financial Casualty & Surety, Inc.

POWER NUMBER
FCS25-2699495
Tele # 877.737.2245

ALL MEN BY THESE PRESENTS that Financial Casualty & Surety, Inc., a corporation duly organized and existing under the laws of the State of Texas, does hereby constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power is void if altered or erased, void if used in combination with other Powers of this company or Powers from any other surety, void if used to furnish bail in excess of the maximum stated amount of this Power. This Power Number is unique and can only be used once. The obligation of the surety shall not exceed the sum of:

*****\$25,000.00*****

*****Twenty Five Thousand Dollars and Zero Cents*****
and this original Power-of-Attorney with the original bond MUST together be posted with the court and retained as a part of the court's records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, FINANCIAL CASUALTY & SURETY, INC. has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be affixed this 30 Day of January, 2024 Year

Defendant Barney Ashby Premium Charged \$ _____

Court Superior City Gastonia State NC Case Number 23CF5001731

Bond Amount \$ 25,000 Charge(s) True bill of indictment

If Rewrite, Original Number _____

Executing Agent [Signature]



[Signature]
Chairman of FCS

NOT VALID IF USED IN

Federal Court

Micro Printed (Anti-Forgery) Message is Contained in this Document's Border ~ If missing, the Document is FORGED and VOID

STATE OF NORTH CAROLINA

File No.

23CRS001731-350

GASTON

County

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

STATE VERSUS

CONDITIONS OF RELEASE
AND RELEASE ORDER

Name And Address Of Defendant

BRANDY CHENELL ASHBY

806 WEST CENTRAL AVE

UNIT 1072

MOUNT HOLLY

NC

28120

G.S. Chapter 15A, Art. 25, 26

Process No.

RO-24-56272

Amount Of Bond

\$ 25,000.00

File Numbers And Offenses

23CRS001731-350 OFA; 12/12/2023; F - FORGERY OF INSTRUMENT; F - UTTERING FORGED INSTRUMENT;

BY
GASTON CO., C.S.C.
2024 JAN 26 A 8:31
FILED☐ See Attachment.

Location Of Court

Gaston Co. Courthouse, Courtroom 4C

☐ District ☒ SuperiorDate
12/25/2024Time
9:30 AM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

☒ Your release is authorized upon execution of your: ☐ WRITTEN PROMISE to appear ☐ UNSECURED BOND in the amount shown above

☐ CUSTODY RELEASE ☒ SECURED BOND in the amount shown above (NOTE: Give a copy of this order to any surety who posts bond.)

☐ HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) _____ and the SECURED BOND above. You may leave your residence for the purpose(s) of ☐ employment ☐ counseling ☐ course of study ☐ vocational training

☐ Your release is not authorized.

☐ The defendant is required to provide (check all that apply) ☐ fingerprints under G.S. 15A-502. ☐ a DNA sample under G.S. 15A-266.3A.

☐ Prior to release, the defendant shall provide his/her (check all that apply) ☐ fingerprints. ☐ DNA sample. ☐ (i) arrested for violation of probation

☐ The defendant has been ☐ (i) charged with a felony while on probation (complete AOC-CR-272, Side One). ☐ (ii) arrested for violation of probation

☐ with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

☐ This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the

Order dated _____

☐ The defendant is charged with an offense subject to G.S. 15A-534.1, and no judge has acted under that statute within 48 hours of defendant's arrest.

☐ The defendant was arrested or surrendered after failing to appear as required under a prior release order.

☐ This was the defendant's second or subsequent failure to appear in this case.

☐ Your release is subject to the conditions as shown on the attached ☐ AOC-CR-242. ☐ AOC-CR-270. ☐ AOC-CR-630. ☐ AOC-CR-631.

☐ AOC-CR-660. ☐ Other: _____

Additional Information

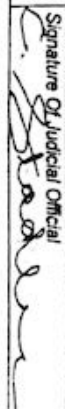
Date	Name Of Judicial Official	Signature Of Judicial Official	☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC
01/25/2024	C. STADLER		☐ Clerk Of Superior Court ☐ DC Judge ☐ SC Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: ☒ produce him/her in Court as provided above.

☐ hold him/her ☐ as provided on the attached AOC-CR-272. ☐ for the following purpose: _____

☐ For charges covered by G.S. 15A-533(a), 15A-534.1, 15A-534.7, or 15A-534.8) produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (for G.S. 15A-534.6, enter date and time 24 hours after arrest; for all others, 48 hours after arrest) _____ produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility	Date	Name Of Judicial Official	Signature Of Judicial Official
GCSD	01/25/2024	C. STADLER	

AOC-CR-200, Rev. 10/23, © 2023 Administrative Office of the Courts

(Over)

Original

WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date _____ Signature Of Defendant _____

Signature Of Person Agreeing To Supervise Defendant _____

Name Of Person Agreeing To Supervise Defendant (Type or print) _____

Address Of Person Agreeing To Supervise Defendant _____

DEFENDANT RELEASED ON BAIL

Date _____ Time _____

Signature Of Custodian _____

CONDITIONS OF RELEASE MODIFICATIONS

The Conditions of Release on the reverse are modified as follows:

Modification _____

Date _____

Signature Of Judicial Official _____

SUPPLEMENTAL ORDERS FOR COMMITMENT

The defendant is next Ordered produced in Court as follows:

Date _____

Time _____

Place _____

Purpose _____

Signature Of Judicial Official _____

DEFENDANT RECEIVED BY DETENTION FACILITY

Date _____

Time _____

Signature Of Custodian _____

1-25-24

1331

R. Thomas Glick

DEFENDANT RELEASED FOR COURT APPEARANCE

Date _____

Time _____

Signature Of Custodian _____

NOTE TO CUSTODIAN: This form shall accompany the defendant to court for all appearances.

AOC-CR-200, Side Two, Rev. 10/23

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Original

STATE OF NORTH CAROLINA
In The General Court Of Justice

EXEMPLIFICATION

GASTON

County

28 U.S.C. 1738

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the attached copies of the documents described below are true and accurate copies of the originals now on file in this office.

Number And Description Of Attached Documents

23-CR-5-1732

AtC-CR-133

AtC-CR-200

AtC-CR-215

AtC-CR-217

AtC-CR-201

Date	2.1.24
Clerk Of Superior Court	
K. ROXANN RANKIN	
Name Of Undersigned Clerk (type or print)	Lisa Byerly
Signature	<i>Lisa Byerly</i>
☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court	

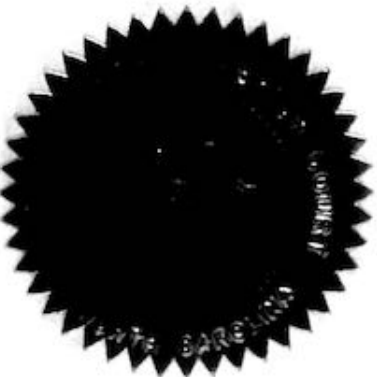


As a Judge of the General Court of Justice, State of North Carolina, I certify that the signature appearing above is that of the Clerk, Assistant Clerk, or Deputy Clerk of Superior Court for this County, who is duly sworn. I further certify that the seal affixed to the certificate appearing above is the seal of this Court and that it has been used here in good form by the proper officer.

Date	2-1-24
Signature Of Judge	<i>David A. Phillips</i>
Name Of Judge (type or print)	DAVID A. PHILLIPS

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the signature appearing above is that of a duly sworn Judge of the General Court of Justice, State of North Carolina.

Date	2-1-2024
Clerk Of Superior Court	K. ROXANN RANKIN
Name Of Undersigned Clerk (type or print)	Geri Byerly
Signature	<i>Geri Byerly</i>
☒ Assistant CSC ☐ Clerk Of Superior Court	



STATE OF NORTH CAROLINA

File No.

Gaston

County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

Name And Address Of Defendant:

Brandy Chenell Ashby a/k/a Brandy Chenell Brown
806 West Central Avenue Unit 1072
Mount Holly, NC 28120

INDICTMENT

- ☒ I. FORGERY (2520)
☒ II. UTTERING FORGED PAPER (2524)

Race	B	Sex	F	Date Of Birth	07/07/1974
Date Of Offense	10/10/2023	Offense In Violation Of G.S.	14-119, 14-120		

☐ This is a superseding indictment.

G.S. 14-119, 14-120

I. The jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did forge, falsely make, and counterfeit a IRS Form 1099A

which was apparently capable of effecting a fraud and which is described as follows:

IRS Form 1099A identifying the Brandy Chenell Ashby Estate, Lender TIN of 83-6332077, as a lender of \$10,000,000.00 to Gus Anthony, Borrower and dated 10/10/2023.

The forgery, false making, and counterfeiting consisted of the following:

The defendant completed the IRS Form 1099A fraudulently indicating a debt of \$10,000,000.00 owed by Gus Anthony without the authorization of Gus Anthony. The Defendant acted without authority and with the intent to injure and defraud.

(NOTE: Instead of describing the instrument with words and figures in Count I, you may attach the instrument or a photocopy of it to the Bill of Indictment. If you do so, make reference to the attachment in the space provided for the description.)

II. And the jurors for the State upon their oath present that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did utter, publish, pass, and deliver as true the forged, falsely made, and counterfeit instrument which is described in Count I above. The defendant acted for the sake of gain and with the intent to injure and defraud and with knowledge that the instrument, which was apparently capable of effecting a fraud, was forged, falsely made, and counterfeit.

NOTE: Forgery of an Endorsement under G.S. 14-120 and Uttering a Forged Endorsement under G.S. 14-120 should not be charged with this indictment form.

Signature Of Prosecutor

WITNESSES

☒ J. A. Alderman, State Bureau of Investigation☐☐☐

The Witnesses marked "X" were sworn by the undersigned Foreperson of the Grand Jury and, after hearing testimony, this Bill was found to be:

☒ A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreperson of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment.

☐ NOT A TRUE BILL.

Date	12/11/23	Signature Of Grand Jury Foreperson	<i>Barry P. [Signature]</i>
------	----------	------------------------------------	-----------------------------

STATE OF NORTH CAROLINA

File No.

23 CRS 001732

GASTON

County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

Name And Address Of Defendant

ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072

MOUNT HOLLY

NC

28120

G.S. 15A-630, 15A-941(d)

NOTICE OF RETURN OF
BILL OF INDICTMENT

To The Defendant Named Above:

Take notice that the grand jury of the county named above has returned the attached True Bill(s) of Indictment charging you with the offense(s) specified.

You are informed that there are important time limitations on your right to discovery of the evidence against you. (See G.S. 15A-902, which is printed on the reverse.)

This Notice is issued upon the order of the presiding judge.

You will be arraigned on the charges contained in this Indictment only if you file a written request for arraignment with the Clerk of Superior Court not later than twenty-one (21) days after the Indictment is served on you. If you do not file a written request for arraignment within that time, the court will enter a not guilty plea on your behalf.

You must appear in Superior Court at the date, time and place shown below to answer the charges in this Indictment.

NOTE: If an earlier court date is set in a release order, you must appear at that time also.

Date Of Hearing

Time Of Hearing

☐ AM
☐ PM

Place Of Hearing

Date Issued

20231212

Signature

NOTE: Attach True Bill(s) of Indictment and a copy of the Order of

Arrest, if appropriate.

☐ Deputy CSC☐ Assistant CSC☐ Clerk Of Superior Court

CERTIFICATE OF NOTICE

I certify that I issued a copy of this Notice to the defendant named above at the address shown by:

☐ 1. Mailing it through the U.S. Postal Service.☒ 2. Attaching it to an Order for Arrest to be served on the defendant.

NOTE TO COURT:

An Order for Arrest shall not be issued for an indicted juvenile whose case began in juvenile court and for which the district court has not yet entered an order for transfer to superior court pursuant to G.S. 7B-2200 or G.S. 7B-2200.5(a)(1).

An Order for Arrest may be issued for a juvenile indicted and subject to adult criminal court jurisdiction:

- pursuant to G.S. 7B-1501(7)b. (indicted for Chapter 20 motor vehicle offense).
- pursuant to G.S. 7B-1604(b) (i.e., the 'once an adult, always an adult' rule), based on a prior criminal conviction as an adult for
 - (i) any felony or
 - (ii) any non-motor vehicle misdemeanor or
 - (iii) any misdemeanor or infraction involving impaired driving as defined in G.S. 20-4.01(24a).

☐ 3. Other. (specify)

Date

12-12-23

Signature

☒ Deputy CSC☐ Assistant CSC☐ Clerk Of Superior CourtOriginal-File Copy-Defendant
(Over)

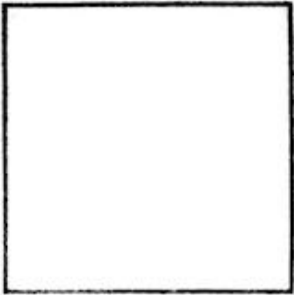
G.S. 15A-902 Discovery Procedure

- “(a) A party seeking discovery under this Article must, before filing any motion before a judge, request in writing that the other party comply voluntarily with the discovery request. A written request is not required if the parties agree in writing to voluntarily comply with the provisions of Article 48 of Chapter 15A of the General Statutes. Upon receiving a negative or unsatisfactory response or upon the passage of seven days following the receipt of the request without response, the party requesting discovery may file a motion for discovery under the provisions of this Article concerning any matter as to which voluntary discovery was not made pursuant to request.
- (b) To the extent that discovery authorized in this Article is voluntarily made in response to a request or written agreement, the discovery is deemed to have been made under an order of the court for the purposes of this Article.
- (c) A motion for discovery under this Article must be heard before a superior court judge.
- (d) If a defendant is represented by counsel, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after either the probable-cause hearing or the date the defendant waives the hearing. If a defendant is not represented by counsel, or is indicted or consents to the filing of a bill of information before the defendant has been afforded or waived a probable-cause hearing, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after the later of:
- (1) The defendant's consent to be tried upon a bill of information, or the service of notice upon the defendant that a true bill of indictment has been found by the grand jury, or
- (2) The appointment of counsel.
- For the purposes of this subsection a defendant is represented by counsel only if counsel was retained by or appointed for the defendant prior to or during a probable-cause hearing or prior to execution by the defendant of a waiver of a probable-cause hearing.
- (e) The State may as a matter of right request voluntary discovery from the defendant, when authorized under this Article, at any time not later than the tenth working day after disclosure by the State with respect to the category of discovery in question.
- (f) A motion for discovery made at any time prior to trial may be entertained if the parties so stipulate or if the judge for good cause shown determines that the motion should be allowed in whole or in part.”

G.S. 15A-941(d) Arraignment Before Judge Only Upon Written Request

- “(d) A defendant will be arraigned in accordance with this section only if the defendant files a written request with the clerk of superior court for an arraignment not later than 21 days after service of the bill of indictment. If a bill of indictment is not required to be served pursuant to G.S. 15A-630, then the written request for arraignment must be filed not later than 21 days from the date of the return of the indictment as a true bill. Upon the return of the indictment as a true bill, the court must immediately cause notice of the 21-day time limit within which the defendant may request an arraignment to be mailed or otherwise given to the defendant and to the defendant's counsel of record, if any. If the defendant does not file a written request for arraignment, then the court shall enter a not guilty plea on behalf of the defendant.”

Date of Arrest	
Name of Issuing Officer	Runklin, K. Runklin
Date of Release	7/10/2023
Offense	



STATE OF NORTH CAROLINA
In The General Court Of Justice
County _____ District ☒ Superior Court Division

To any officer with authority and jurisdiction to serve an Order For Arrest:

1. FTA - RELEASE ORDER (G.S. 15A-305(b)(2)) the defendant has been arrested and released from custody and has failed on the date shown to appear as required by the Release Order.

2. FTA - CRIMINAL SUMMONS OR CITATION (Do not use for infraction.) (G.S. 15A-305(b)(3)) the defendant has failed on the date shown to appear as required by a duly executed Criminal Summons or by a Citation that charged the defendant with a misdemeanor.

3. TRUE BILL OF INDICTMENT (G.S. 15A-305(b)(1)) a Grand Jury has returned a true bill of indictment against the defendant, a copy of which is attached. [Note To Arresting Officer: If this option is checked, defendant must be fingerprinted. G.S. 15A-502(a).]

4. FTA - SHOW CAUSE AFTER FTC (G.S. 15A-305(b)(8)) the defendant has failed on the date shown to appear as required in a Show Cause Order entered in this criminal proceeding.

5. FTA - SHOW CAUSE ORDER IN ORIGINAL CRIMINAL JUDGMENT (G.S. 15A-305(b)(8); -1362(c); -1364(a)) the defendant has failed by the date shown to pay a fine or costs or both as required by a judgment entered in this case and has also failed, as required upon such failure, to appear on that date and show cause why the defendant should not be imprisoned.

6. PROBABLE CAUSE THAT DEFENDANT MAY FAIL TO APPEAR - CRIMINAL CONTEMPT (G.S. 15A-305(b)(9); 5A-16) this Court has initiated plenary proceedings for contempt against the defendant under G.S. 5A-16, has issued a show cause order and finds probable cause to believe that the defendant will not appear as required in response to that order.

7. PROBATION VIOLATION (G.S. 15A-305(b)(4); -1345(a)) the probation officer has provided the court with a written statement, signed by the probation officer, alleging that the defendant has violated specified conditions of the defendant's probation and a copy of the written statement is attached.

8. Other: (specify)

ORDER FOR ARREST
OFA-23-861886
THE STATE OF NORTH CAROLINA VS.
BRANDY CHENELL ASHBY
806 WEST CENTRAL AVE
MOUNT HOLLY NC 28120
UNIT 1072
Race B Sex F Date Of Birth 07/07/1974 Age
Name And Address Of Defendant's Employer
Date Defendant Failed To Appear

Amount Of Bond
Type Of Bond
Official's Discretion
Notes
OFFENSE(S)
Count No. Offense In Violation of G.S. Code No. Count
51 F - FORGERY OF INSTRUMENT 14-119(A) 2520
52 F - UTTERING FORGED INSTRUMENT 14-120 2524

TRUE BILL OF INDICTMENT ONLY
Date Of Arrest & Check Digit No (as shown on fingerprint card)
You are DIRECTED to take the defendant into custody and bring the defendant before a judicial official for the purpose of:
☒ determining conditions of release, and for commitment if the defendant is unable to comply.
☐ commitment since release of the defendant is not authorized.
Name Of Issuing Official
Rankin, K. Roxann, by and through Christopher Madden
Date Of Offense 10/10/2023
Date Issued 12/12/2023
Signature
Location Of Court
Court Date
Court Time

Magistrate ☐ Ass't CSC ☐ Clerk Of Superior Court ☐ SC Judge ☐ DC Judge ☐

GALE OF NC
Gaston County
Name And Address
ASHBY, BR
806 WEST
UNIT 1
MOI

STATE VERSUS

GASTON

County

23CRS001732-350

File No

KRANDY CHENELL ASHBY

12/12/2023

Date Of Issuance Of Order For Arrest

If the Order For Arrest is not served within one hundred and eighty (180) days, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon.

RETURN OF SERVICE

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received

1/25/24

Date Served

1/25/24

Time Served

1300

Date Returned

1/25/24

☒ By arresting the defendant and bringing the defendant before:

Name Of Judicial Official

Maggi Strake

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

[Signature]

Department Or Agency Of Officer

Gaston County PD.

REDELIVERY/REISSUANCE

Date

Name Of Clerk (type or print)

Signature Of Clerk

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

RETURN FOLLOWING REDELIVERY/REISSUANCE

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received

Date Served

Time Served

Date Returned

☐ By arresting the defendant and bringing the defendant before:

Name Of Judicial Official

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

Name Of Officer (type or print)

Department Or Agency Of Officer

STATE OF NORTH CAROLINA

File No
23CRS001732-350-M

Gaston County

In The General Court Of Justice
Superior Court DivisionName And Mailing Address Of Defendant:
ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY NC 28120FILE APPEARANCE BOND
FOR
PRETRIAL RELEASE

MOUNT HOLLY NC 28120

2024 JAN 31 PRETRIAL RELEASE

G.S. 15A-531, 15A-534, 15A-544.2

Telephone No. Of Defendant: 25,000.00
Total Bond Required: 25,000.00
Amount Of This Bond: 25,000.00
Bond No: 24B014494

File Numbers And Offenses

23CRS001732-350-M

FORGERY OF INSTRUMENT

UTTERING FORGED INSTRUMENT

☐ See Additional File Numbers And Offenses on Side Two, for which appearance is secured by this Bond.☒ Surety Appearance Bond - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this Bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. (For cash bond, see notes on reverse side.)

INSURANCE COMPANY

Name Of Insurance Company

FINANCIAL CASUALTY & SURETY INC

Name Of Bail Agent

TUCKER, SANITA, A

Power Of Appointment No. Of Bail Agent

License No. Of Bail Agent
0017841524Telephone No
704.979.8994

DEFENDANT AND SURETY SIGNATURES

Date Of Execution Of Bond

01/30/2024

Signature Of Surety

Signature Of Defendant (required for all appearance bonds)
for Ashby Brandy Chenell 6/6/2024
b/1/2/2024

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date

01/30/2024

Signature

Date

Signature

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
☐ Custodian Of Detention Facility [G.S. 15A-537(c)]☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
☐ Custodian Of Detention Facility [G.S. 15A-537(c)]NOTE: If cash deposited, see notes on reverse side. (see AOC-CR-238 if release
AOC-CR-201 (ICMS), Rev. 2/21 after judgment in superior court)Original - File
(Over)

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CONDITIONS

The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required. It is agreed and acknowledged by the defendant and each surety throughout all stages of the proceedings in the trial divisions of the Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court, unless the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes. Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-201A, states: "I have reached the age of 18 years and am a resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

Additional File Numbers And Offenses

ADDITIONAL FILE NUMBERS AND OFFENSES

☐ See Additional File Numbers And Offenses on attached AOC-CR-201A, Side Two, for which appearance is secured by this Bond.

AFFIDAVIT

NOTE: Professional bondsmen, surety bondsmen (bail agents), and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts - G.S. 58-71-140(d). Check all options that apply.

- ☐ 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
- ☐ 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- ☐ 3. I have received a premium in the amount shown below.
- ☐ 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$ 2500	Date Premium Due 1-30-24	Amount Of Premium Received \$ 2500
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value

**AFFIX BONDSMAN'S SEAL
OR POWER OF ATTORNEY
CERTIFICATE HERE**
FCS25-2699496

RETURN OF CUSTODIAN OF DETENTION FACILITY

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Date Defendant Released 1-30-24	Name Of Custodian (Type or print) J. W. Smith	Signature Of Custodian [Signature]	☐ Sheriff ☒ Deputy Sheriff ☐ Other
------------------------------------	--	---------------------------------------	--

NOTES ON CASH BONDS:

- (1) To Official Taking The Bond. Use this form for all cash bonds. Complete this form as follows:
When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.
- When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have defendant sign. Enter name, address and telephone number of person depositing cash under "Accommodation Bondsman." Have that person sign under "Signature Of Surety." Complete notalization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.
- (2) To Bookkeeper. If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."
- (3) Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support. G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.

30-JUN-24
side, Suite 250, Houston, TX 77002
FCSurety@fcsurety.com
ALL MEN BY THE
ice and stead, to ext
appearance bonds
any other condi
This Po
void i
am

30-JUN-24

**State or Municipal Court
POWER OF ATTORNEY**
Financial Casualty & Surety, Inc.

FOR LEND ONLY
FCS25-2699496

Tele # 877.737.2245

2000, Suite 250, Houston, TX 77098
FCSurety@fcsurety.com

ALL MEN BY THESE PRESENTS that Financial Casualty & Surety, Inc., a corporation duly organized and existing under the laws of the State of Texas, do hereby constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power is void if altered or erased, void if used in combination with other Powers of this company or Powers from any other surety, void if used to furnish bail in excess of the maximum stated amount of this Power. This Power Number is unique and can only be used once. The obligation of the surety shall not exceed the sum of:

Twenty Five Thousand Dollars and Zero Cents

\$25,000.00

and this original Power-of-Attorney with the original bond MUST together be posted with the court and retained as a part of the court's records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, FINANCIAL CASUALTY & SURETY, INC. has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be affixed this 30 Day of January, 2024 Year

Defendant Brandy Ashby Premium Charged \$ _____

Court Superior City Gastonia State NC Case Number 23CR001732

Bond Amount \$ 25000 Charge(s) True Bill of indictment

If Rewrite, Original Number _____

Executing Agent [Signature]



NOT VALID IF USED IN

Federal Court

Micro Printed (Anti-Forgery) Message is Contained in this Document's Border ~ If missing, the Document is FORGED and VOID

STATE OF NORTH CAROLINA

GASTON County

File No. 23CRS001732-350

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

STATE VERSUS

Name And Address Of Defendant:

BRANDY CHENELL ASHBY
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY

NC 28120

CONDITIONS OF RELEASE
AND RELEASE ORDER

G.S. Chapter 15A, Art. 25, 26

Process No.
RO-24-56280Amount Of Bond
\$ 25,000.00

File Numbers And Offenses

23CRS001732-350 (F.N. 12/12/2023); F - FORGERY OF INSTRUMENT; F - UTTERING FORGED INSTRUMENT;

BY
GASTON CO., C.S.C.
2024 JAN 26 - A &
FILED☐ See Attachment.Location Of Court
Gaston Co. Courthouse, Courtroom 4C☐ District ☒ Superior Date 12/25/2024 Time 9:30 AM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

☒ The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

☒ Your release is authorized upon execution of your: ☐ WRITTEN PROMISE to appear ☐ UNSECURED BOND in the amount shown above

☐ CUSTODY RELEASE ☒ SECURED BOND in the amount shown above (NOTE: Give a copy of this order to any surety who posts bond.)
☐ HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) _____ and the SECURED BOND above. You may leave your residence for the purpose(s) of ☐ employment ☐ counseling ☐ course of study ☐ vocational training

☐ Your release is not authorized.

☐ The defendant is required to provide (check all that apply) ☐ fingerprints under G.S. 15A-502. ☐ a DNA sample under G.S. 15A-286.3A.
Prior to release, the defendant shall provide his/her (check all that apply) ☐ fingerprints. ☐ DNA sample.

☐ The defendant has been ☐ (i) charged with a felony while on probation (complete AOC-CR-272, Side One), ☐ (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

☐ This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated _____.

☐ The defendant is charged with an offense subject to G.S. 15A-534.1, and no judge has acted under that statute within 48 hours of defendant's arrest.

☐ The defendant was arrested or surrendered after failing to appear as required under a prior release order.

☐ This was the defendant's second or subsequent failure to appear in this case. ☐ AOC-CR-242. ☐ AOC-CR-270. ☐ AOC-CR-630. ☐ AOC-CR-631.

☐ Your release is subject to the conditions as shown on the attached ☐ AOC-CR-660. ☐ Other: _____

Additional Information

Date	Name Of Judicial Official	Signature Of Judicial Official	☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC
01/25/2024	C. STADLER		☐ Clerk Of Superior Court ☐ DC Judge ☐ SC Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: ☒ produce him/her in Court as provided above.
☐ hold him/her ☐ as provided on the attached AOC-CR-272. ☐ for the following purpose: _____

☐ For charges covered by G.S. 15A-533(b), 15A-534.1, 15A-534.7, or 15A-534.8 produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (for G.S. 15A-534.8, enter date and time 24 hours after arrest; for all others, 48 hours after arrest) _____ produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility	Date	Name Of Judicial Official	Signature Of Judicial Official
GCSD	01/25/2024	C. STADLER	

Original

STATE OF NORTH CAROLINA
In The General Court Of Justice

GASTON County

EXEMPLIFICATION

28 U.S.C. 1738

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the attached copies of the documents described below are true and accurate copies of the originals now on file in this office.

Number And Description Of Attached Documents

23-CRS-1733

AOC-CR-122

AOC-CR-215

AOC-CR-200

AOC-CR-200

AOC-CR-217

AOC-CR-201



Date	2.1.24
Clerk Of Superior Court	K. ROXANN RANKIN
Name Of Undesignated Clerk (type or print)	Lisa Beverly
Signature	<i>Lisa Beverly</i>
☒ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court	

As a Judge of the General Court of Justice, State of North Carolina, I certify that the signature appearing above is that of the Clerk, Assistant Clerk, or Deputy Clerk of Superior Court for this County, who is duly sworn. I further certify that the seal affixed to the certificate appearing above is the seal of this Court and that it has been used here in good form by the proper officer.

Date	2-1-24
Signature	<i>David A. Phillips</i>
Name Of Judge (type or print)	DAVID A. PHILLIPS

As a Clerk of the Superior Court of this County, State of North Carolina, I certify that the signature appearing above is that of a duly sworn Judge of the General Court of Justice, State of North Carolina.



Date	2-1-2024
Clerk Of Superior Court	K. ROXANN RANKIN
Name Of Undesignated Clerk (type or print)	Beni Queen
Signature	<i>Beni Queen</i>
☒ Assistant CSC ☐ Clerk Of Superior Court	

- 23 CR 001733

STATE OF NORTH CAROLINA

File No

Gaston County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

Name And Address Of Defendant
Brandy Chenell Ashby a/k/a Brandy Chenell Brown
806 West Central Avenue Unit 1072
Mount Holly, NC 28120

INDICTMENT

☐ This is a superseding indictment.

Race	Sex	Date Of Birth	Offense(s)	Date Of Offense OR Date Range Of Offense	G.S. No.	CL.
B	F	07/07/1974	I. Forgery of Instrument	3/13/2023	14-122	H
			II. Forgery of Instrument	10/15/2023	14-122	H
			III.			
			IV.			
			V.			
			VI.			
			VII.			
			VIII.			
			IX.			
			X.			

I. The jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did
Wittingly and falsely forge and make, knowing the same to be forged, a bill or invoice for the payment of money with intent to defraud Gaston County, specifically an Invoice identified as No. BCA425222 in the amount of \$30,059,500.00 dated 3/13/2023.

II. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did
Writingly and falsely forge and make, knowing the same to be forged, a bill or invoice for the payment of money with intent to defraud Gus Anthony, specifically an Invoice identified as No. 0101626 in the amount of \$16,435,100.00 dated 10/15/2023.

III. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

IV. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

STATE VERSUS

File No

Names Of Defendant
Brandy Chenell Ashby a/k/a Brandy Chenell Brown

V. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

VI. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

VII. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

(Over)

VIII. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

IX. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

X. And the jurors for the State upon their oath present that on or about the date(s) of offense shown and in the county named above the defendant named above unlawfully, willfully and feloniously did

STATE VERSUS

File No

Name Of Defendant

Brandy Chenell Ashby a/k/a Brandy Chenell Brown

SIGNATURE OF PROSECUTOR

Signature Of Prosecutor



WITNESSES

☒ J. A. Alderman, State Bureau of Investigation☐☐☐☐☐☐☐

The Witnesses marked 'X' were sworn by the undersigned Foreperson of the Grand Jury and, after hearing testimony, this Bill was found to be:

☒ A TRUE BILL by twelve or more grand jurors, and I the undersigned Foreperson of the Grand Jury, attest the concurrence of twelve or more grand jurors in this Bill of Indictment

☐ NOT A TRUE BILL.

Date

12/11/27

Signature Of Grand Jury Foreperson



STATE OF NORTH CAROLINA

File No

23 CRS 001733

GASTON

County

In The General Court Of Justice
Superior Court Division

STATE VERSUS

Name And Address Of Defendant:

ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY NC 28120NOTICE OF RETURN OF
BILL OF INDICTMENT

G.S. 15A-630, 15A-941(d)

To The Defendant Named Above:

Take notice that the grand jury of the county named above has returned the attached True Bill(s) of Indictment charging you with the offense(s) specified.

You are informed that there are important time limitations on your right to discovery of the evidence against you. (See G.S. 15A-902, which is printed on the reverse.)

This Notice is issued upon the order of the presiding judge.

You will be arraigned on the charges contained in this Indictment only if you file a written request for arraignment with the Clerk of Superior Court not later than twenty-one (21) days after the Indictment is served on you. If you do not file a written request for arraignment within that time, the court will enter a not guilty plea on your behalf.

You must appear in Superior Court at the date, time and place shown below to answer the charges in this Indictment.

NOTE: If an earlier court date is set in a release order, you must appear at that time also.

Date Of Hearing	Time Of Hearing	☐ AM ☐ PM	Place Of Hearing
-----------------	-----------------	--	------------------

Date Issued
20231212

Signature

NOTE: Attach True Bill(s) of Indictment and a copy of the Order of

Arrest, if appropriate.

☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court

CERTIFICATE OF NOTICE

I certify that I issued a copy of this Notice to the defendant named above at the address shown by:

☐ 1. Mailing it through the U.S. Postal Service.☒ 2. Attaching it to an Order for Arrest to be served on the defendant.

NOTE TO COURT: An Order for Arrest shall not be issued for an indicted juvenile whose case began in juvenile court and for

which the district court has not yet entered an order for transfer to superior court pursuant to G.S. 7B-2200 or G.S. 7B-2200.5(a)(1).

An Order for Arrest may be issued for a juvenile indicted and subject to adult criminal court jurisdiction:

- pursuant to G.S. 7B-1501(7)b. (indicted for Chapter 20 motor vehicle offense).
- pursuant to G.S. 7B-1604(b) (i.e., the 'once an adult, always an adult' rule), based on a prior criminal conviction as an adult for

- (i) any felony or
- (ii) any non-motor vehicle misdemeanor or
- (iii) any misdemeanor or infraction involving impaired driving as defined in G.S. 20-4.01(24a).

☐ 3. Other: (specify)

Date 12-12-23	Signature 	☒ Deputy CSC	☐ Assistant CSC	☐ Clerk Of Superior Court
------------------	--	--	--	--

Original-File Copy-Defendant
(Over)

G.S. 15A-902 Discovery Procedure

- "(a) A party seeking discovery under this Article must, before filing any motion before a judge, request in writing that the other party comply voluntarily with the discovery request. A written request is not required if the parties agree in writing to voluntarily comply with the provisions of Article 48 of Chapter 15A of the General Statutes. Upon receiving a negative or unsatisfactory response or upon the passage of seven days following the receipt of the request without response, the party requesting discovery may file a motion for discovery under the provisions of this Article concerning any matter as to which voluntary discovery was not made pursuant to request.
- (b) To the extent that discovery authorized in this Article is voluntarily made in response to a request or written agreement, the discovery is deemed to have been made under an order of the court for the purposes of this Article.
- (c) A motion for discovery under this Article must be heard before a superior court judge.
- (d) If a defendant is represented by counsel, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after either the probable-cause hearing or the date the defendant waives the hearing. If a defendant is not represented by counsel, or is indicted or consents to the filing of a bill of information before the defendant has been afforded or waived a probable-cause hearing, the defendant may as a matter of right request voluntary discovery from the State under subsection (a) of this section not later than the tenth working day after the later of
- (1) The defendant's consent to be tried upon a bill of information, or the service of notice upon the defendant that a true bill of indictment has been found by the grand jury, or
- (2) The appointment of counsel.
- For the purposes of this subsection a defendant is represented by counsel only if counsel was retained by or appointed for the defendant prior to or during a probable-cause hearing or prior to execution by the defendant of a waiver of a probable-cause hearing.
- (e) The State may as a matter of right request voluntary discovery from the defendant, when authorized under this Article, at any time not later than the tenth working day after disclosure by the State with respect to the category of discovery in question.
- (f) A motion for discovery made at any time prior to trial may be entertained if the parties so stipulate or if the judge for good cause shown determines that the motion should be allowed in whole or in part."

G.S. 15A-941(d) Arraignment Before Judge Only Upon Written Request

- "(d) A defendant will be arraigned in accordance with this section only if the defendant files a written request with the clerk of superior court for an arraignment not later than 21 days after service of the bill of indictment. If a bill of indictment is not required to be served pursuant to G.S. 15A-630, then the written request for arraignment must be filed not later than 21 days from the date of the return of the indictment as a true bill. Upon the return of the indictment as a true bill, the court must immediately cause notice of the 21-day time limit within which the defendant may request an arraignment to be mailed or otherwise given to the defendant and to the defendant's counsel of record, if any. If the defendant does not file a written request for arraignment, then the court shall enter a not guilty plea on behalf of the defendant."

Other party
w/ comply
file

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File No	23CRS001733-350	☐ See Attachment
ORDER FOR ARREST		
# OPA-23-861921		
THE STATE OF NORTH CAROLINA VS.		
Name, Address & Telephone No. Of Defendant BRANDY CHENELL ASHBY 806 WEST CENTRAL AVE MOUNT HOLLY NC 28120		
Race	B	Sex F
Date Of Birth	07/07/1974	Age
Name And Address Of Defendant's Employer		
Date Defendant Failed To Appear		
Type Of Bond		
Amount Of Bond \$		
Official's Discretion		
Notes		
OFFENSE(S)		
Count	No.	Offense
51		F - FORGERY OF INSTRUMENT
52		F - FORGERY OF INSTRUMENT
You are DIRECTED to take the defendant into custody and bring the defendant before a judicial official for the purpose of: ☒ determining conditions of release, and for commitment if the defendant is unable to comply. ☐ commitment since release of the defendant is not authorized.		
Name Of Issuing Official Rankin, K. Roxann, by and through Christopher Madden		
Date Of Arrest & Check Digit No. (as shown on fingerprint card)		
Date Of Offense 03/13/2023		
Date Issued 12/12/2023		
Signature 		
Magistrate ☐ Deputy CSC ☐ Clerk Of Superior Court ☐ SC Judge ☐		
Location Of Court		
Court Date	Court Time	

STATE OF NORTH CAROLINA
In The General Court Of Justice
County GASTON
District ☒ Superior Court Division

To any officer with authority and jurisdiction to serve an Order For Arrest:
The Court finds that:
1. FTA - RELEASE ORDER (G.S. 15A-305(b)(2)) the defendant has been arrested and released from custody and has failed on the date shown to appear as required by the Release Order.
2. FTA - CRIMINAL SUMMONS OR CITATION (Do not use for infraction.) (G.S. 15A-305(b)(3)) the defendant has failed on the date shown to appear as required by a duly executed Criminal Summons or by a Citation that charged the defendant with a misdemeanor.
3. TRUE BILL OF INDICTMENT (G.S. 15A-305(b)(1)) a Grand Jury has returned a true bill of indictment against the defendant, a copy of which is attached. [Note To Arresting Officer: If this option is checked, defendant must be fingerprinted. G.S. 15A-502(a).]
4. FTA - SHOW CAUSE AFTER FTC (G.S. 15A-305(b)(8)) the defendant has failed on the date shown to appear as required in a Show Cause Order entered in this criminal proceeding.
5. FTA - SHOW CAUSE ORDER IN ORIGINAL CRIMINAL JUDGMENT (G.S. 15A-305(b)(8); -1362(c); -1364(a)) the defendant has failed by the date shown to pay a fine or costs or both as required by a judgment entered in this case and has also failed, as required upon such failure, to appear on that date and show cause why the defendant should not be imprisoned.
6. PROBABLE CAUSE THAT DEFENDANT MAY FAIL TO APPEAR - CRIMINAL CONTEMPT (G.S. 15A-305(b)(9); 5A-16) this Court has initiated plenary proceedings for contempt against the defendant under G.S. 5A-16, has issued a show cause order and finds probable cause to believe that the defendant will not appear as required in response to that order.
7. PROBATION VIOLATION (G.S. 15A-305(b)(4); -1345(a)) the probation officer has provided the court with a written statement, signed by the probation officer, alleging that the defendant has violated specified conditions of the defendant's probation and a copy of the written statement is attached.
8. Other: (specify)

FILED
2024 JAN 29 A 8:40
GASTON CO., C.S.C.

STATE OF
Name
AST

STATE VERSUS

GASTON

County

23CRS001733-350

File No.

BRANDY CHENELL ASHBY

Date Of Issuance Of Order For Arrest

12/12/2023

If the Order For Arrest is not served within one hundred and eighty (180) days, it must be returned to the Clerk of Court in the county in which it was issued with the reason for the failure of service noted thereon.

RETURN OF SERVICE

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received

1/25/24

Date Served

1/25/24

Time Served

1300

Date Returned

1/25/24

Name Of Judicial Official

Maj. Shale

☒ By arresting the defendant and bringing the defendant before:

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

Department Or Agency Of Officer

Gaston County PD

REDELIVERY/REISSUANCE

Date

Name Of Clerk (type or print)

Signature Of Clerk

RETURN FOLLOWING REDELIVERY/REISSUANCE

I certify that the Order For Arrest issued in this case on the date noted above for the defendant named above, was received and served as follows:

Date Received

Date Served

Time Served

Date Returned

☐ By arresting the defendant and bringing the defendant before:

Name Of Judicial Official

☐ The Order WAS NOT served for the following reason:

Signature Of Officer Making Return

Name Of Officer (type or print)

Department Or Agency Of Officer

STATE OF NORTH CAROLINA

Gaston County

File No.
23CRS001733-350-M
In The General Court Of Justice
Superior Court DivisionName And Mailing Address Of Defendant:
ASHBY, BRANDY CHENELL
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY NC 28120FILED
APPEARANCE BOND
FOR
2024 JAN 31 ARRESTAL RELEASE

Telephone No. Of Defendant:

Total Bond Required
25,000.00Amount Of This Bond
25,000.00Bond No.
24B014491

File Number And Offenses

23CRS001733-350-M

FORGERY OF INSTRUMENT

FORGERY OF INSTRUMENT

☐ See Additional File Numbers And Offenses on Side Two, for which appearance is secured by this Bond.

☒ **Surety Appearance Bond** - We, the undersigned, jointly and severally acknowledge that we and our personal representatives are bound to pay the State of North Carolina the sum shown above, subject to the conditions of this Bond stated on the reverse side. Any undersigned professional bondsman, bail agent, or runner attests that the AFFIDAVIT on the reverse side is complete and true. If a cash deposit is indicated below, surety(ies) has deposited the cash to secure the obligation as surety(ies) on this Bond with the understanding that the deposit will be returned to the surety(ies) upon termination of that obligation as provided by law, and that it will NOT be available to satisfy defendant's obligations. (For cash bond, see notes on reverse side.)

INSURANCE COMPANY

Name Of Insurance Company
FINANCIAL CASUALTY & SURETY INC
Power Of Appointment No. Of Bail AgentName Of Bail Agent
TUCKER, SANITA, A
License No. Of Bail Agent
0017841524Telephone No.
7047798996

DEFENDANT AND SURETY SIGNATURES

Date Of Execution Of Bond
01/30/2024
Signature Of SuretySignature Of Defendant (required for all appearance bonds)
Signature Of Surety
BRANDY CHENELL
W/ J. K. CHENELL

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

SWORN/AFFIRMED AND SUBSCRIBED TO BEFORE ME

Date
01/30/2024

Signature

Date

Signature

☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
☐ Custodian Of Detention Facility (G.S. 15A-537(c))

☐ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court
☐ Custodian Of Detention Facility (G.S. 15A-537(c))

NOTE: If cash deposited, see notes on reverse side. (see AOC-CR-238 if release after judgment in superior court)
AOC-CR-201 (ICMS), Rev. 2/21
© 2021 Administrative Office of the Courts

Original - File
(Over)

CONDITIONS

The conditions of this Bond are that the above named defendant shall appear in the above entitled action(s) whenever required. It is agreed and understood that this Bond is effective and binding upon the defendant and each surety throughout all stages of the proceedings in the trial divisions of the General Court of Justice until the entry of judgment in the district court from which no appeal is taken or until the entry of judgment in the superior court, unless terminated earlier by operation of law or order of the court. If the defendant appears as ordered until termination of the Bond, then the bond is to be void, but if the defendant fails to appear as required, the Court will forfeit the bond pursuant to Part 2 of Article 26 of Chapter 15A of the General Statutes.

Each accommodation bondsman, by signing on the reverse or on the attached AOC-CR-201A, states: "I have reached the age of 18 years and am a bona fide resident of North Carolina. Aside from love and affection and release of the above named defendant, I have received no consideration for acting as surety. I own sufficient property over and above all liabilities, homestead and other exemptions allowed me by law to enable me to pay this Bond should it be ordered forfeited. I understand that if I sign this Bond without sufficient property, I am guilty of a crime."

Additional File Numbers And Offenses

ADDITIONAL FILE NUMBERS AND OFFENSES

☐ See Additional File Numbers And Offenses on attached AOC-CR-201A, Side Two, for which appearance is secured by this Bond

AFFIDAVIT

NOTE: "Professional bondsmen, surety bondsmen (bail agents), and runners shall file with the clerk of court having jurisdiction over the principal an affidavit on a form furnished by the Administrative Office of the Courts." G.S. 58-71-140(c) Check all options that apply.

- ☐ 1. I have not, nor has anyone for my use, been promised or received any collateral, security or premium for executing this Bond.
- ☐ 2. I have been promised a premium in the amount shown below, which is due on the date shown below.
- ☐ 3. I have received a premium in the amount shown below.
- ☐ 4. I have been given collateral security by the person named below, of the nature and in the amount shown below.

Amount Of Premium Promised \$ 2500	Date Premium Due 1-30-24	Amount Of Premium Received \$ 2500
Name Of Person From Whom Collateral Received	Nature Of Collateral	Value

**AFFIX BONDSMAN'S SEAL
OR POWER OF ATTORNEY
CERTIFICATE HERE**
FCS25-2699494

RETURN OF CUSTODIAN OF DETENTION FACILITY

The defendant named on the reverse was released from my custody on the date shown below upon the execution of this Appearance Bond.

Defendant Released 130124	Name Of Custodian (Type or print) QML	Signature Of Custodian QML	☐ Sheriff ☒ Deputy Sheriff
------------------------------	--	-------------------------------	--

NOTES ON CASH BONDS:

(1) To Official Taking The Bond. Use this form for all cash bonds. Complete this form as follows:

When Cash Deposited By Defendant Or By Another Person Who Intends For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond By Defendant." Have defendant sign. Do no more. No other person's name should appear on this form. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to DEFENDANT, not to any other person.

When Cash Deposited By Another Person Who Does NOT Intend For The Cash To Be Used To Satisfy The Defendant's Obligations. Enter defendant's name, address and telephone number at the top of Side One. Check "Surety Appearance Bond." Have that person sign under "Signature Of Surety." Complete notarization for that person. Enter your name, sign and enter receipt number under "Complete If Cash Deposited." Make receipt out to person depositing the cash.

(2) To Bookkeeper. If case disposed without forfeiture, disburse cash as follows: (1) If "Cash Appearance Bond By Defendant" checked on Side One, disburse to defendant or apply to defendant's obligations if court so orders. (2) If "Surety Appearance Bond" is checked on Side One, disburse only to the person(s) named under "Accommodation Bondsman."

(3) Bond By Insurance Company Or Professional Bondsman As Surety Is Same As Cash Except In Child Support. G.S. 15A-531(4) provides that an appearance bond executed by an insurance company or a professional bondsman (or a bail agent or runner on behalf of one of those sureties) is considered the same as a cash deposit, except in child support contempt proceedings for which only cash may satisfy a cash bond requirement.

It is agreed and understood that if the person of the General Court is terminated unless terminated

VOID IF NOT ISSUED BY

30-Jun-24

3131 Eastside, Suite 250, Houston, TX 77098
FCSurety@fcsurety.com

State or Municipal Court
POWER OF ATTORNEY
Financial Casualty & Surety, Inc.

POWER NUMBER

FCS25-2699494

Tele: # 877.737.2245

KNOW ALL MEN BY THESE PRESENTS that Financial Casualty & Surety, Inc., a corporation duly organized and existing under the laws of the State of Texas does constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power is void if altered or erased, void if used in combination with other Powers of this company or Powers from any other surety, void if used to furnish bail in excess of the maximum stated amount of this Power. This Power Number is unique and can only be used once. The obligation of the surety shall not exceed the sum of:

Twenty Five Thousand Dollars and Zero Cents
\$25,000.00

and this original Power-of-Attorney with the original bond MUST together be posted with the court and retained as a part of the court's records. The said Attorney-in-Fact is hereby authorized to insert in this Power-of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, FINANCIAL CASUALTY & SURETY, INC. has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be affixed this 30 Day of June 2024 Year

Defendant Brandy Ashby Premium Charged \$

Court Superior City Easton State NC Case Number 23CR001733

Bond Amount \$ 25,000 Charge(s) True Bill of indictment

If Rewrite, Original Noted

Executing Agent [Signature]  [Signature] Chairman of FCS

Micro Printed (Anti-Forgery) Message is Contained in this Document's Border ~ If missing, the Document is FORGED and VOID

STATE OF NORTH CAROLINA

File No. 23CRS001733-350

GASTON

County

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

STATE VERSUS

Name And Address Of Defendant

BRANDY CHENELL ASHBY
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY

FILED

2024 JAN 31

CONDITIONS OF RELEASE
8440 RELEASE ORDER

NC

GASTON CO.

Process No.

RO-24-56307

G.S. Chapter 15A, Art. 25, 26
Amount Of Bond \$ 25,000.00

File Numbers And Offenses

23CRS001733-350 OFN: 12/12/2023; F - FORGERY OF INSTRUMENT; F - FORGERY OF INSTRUMENT;

☐ See Attachment.Location Of Court
Gaston Co. Courthouse, Courtroom 4C☐ District ☒ Superior

Date 12/25/2024

Time 9:30 AM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

☒ Your release is authorized upon execution of your: ☐ WRITTEN PROMISE to appear ☐ UNSECURED BOND in the amount shown above

☐ CUSTODY RELEASE☒ SECURED BOND in the amount shown above (NOTE: Give a copy of this order to any surety who posts bond.)☐ HOUSE ARREST with ELECTRONIC MONITORING administered by (agency)

BOND above. You may leave your residence for the purpose(s) of ☐ employment ☐ counseling ☐ course of study ☐ vocational training and the SECURED

☐ Your release is not authorized. ☐ fingerprints under G.S. 15A-502. ☐ a DNA sample under G.S. 15A-286.3A.

☐ The defendant is required to provide (check all that apply) ☐ fingerprints. ☐ DNA sample.

☐ Prior to release, the defendant shall provide his/her (check all that apply) ☐ fingerprints. ☐ (i) charged with a felony while on probation (complete AOC-CR-272, Side One). ☐ (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).

☐ This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated _____

☐ The defendant is charged with an offense subject to G.S. 15A-534.1, and no judge has acted under that statute within 48 hours of defendant's arrest.

☐ The defendant was arrested or surrendered after failing to appear as required under a prior release order.

☐ This was the defendant's second or subsequent failure to appear in this case. ☐ AOC-CR-242. ☐ AOC-CR-270. ☐ AOC-CR-630. ☐ AOC-CR-631.

☐ Your release is subject to the conditions as shown on the attached ☐ AOC-CR-660. ☐ Other: _____

Additional Information

Date	Name Of Judicial Official	Signature Of Judicial Official	☒ Magistrate	☐ Deputy CSC	☐ Assistant CSC
01/30/2024	C. STADLER, by and through C M West		☐ Clerk Of Superior Court	☐ DC Judge	☐ SC Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: ☒ produce him/her in Court as provided above.

☐ hold him/her ☐ as provided on the attached AOC-CR-272. ☐ for the following purpose: _____

☐ For charges covered by G.S. 15A-533(a), 15A-534.1, 15A-534.7, or 15A-534.8 produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (for G.S. 15A-534.8, enter date and time 24 hours after arrest; for all others, 48 hours after arrest) _____ produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility	Date	Name Of Judicial Official	Signature Of Judicial Official
GCSD	01/30/2024	C. STADLER, by and through C M West	

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(Over)

Original

WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Date Signature Of Defendant Signature Of Person Agreeing To Supervise Defendant Name Of Person Agreeing To Supervise Defendant (Type or print) Address Of Person Agreeing To Supervise Defendant Date Time Signature Of Custodian **DEFENDANT RELEASED ON BAIL****CONDITIONS OF RELEASE MODIFICATIONS**

The Conditions of Release on the reverse are modified as follows:

Modification Date Signature Of Judicial Official **SUPPLEMENTAL ORDERS FOR COMMITMENT**

The defendant is next Ordered produced in Court as follows:

Date Time Place Purpose Signature Of Judicial Official **DEFENDANT RECEIVED BY DETENTION FACILITY**Date Time Signature Of Custodian

1-30-24

1048

R. THOMAS GLE

DEFENDANT RELEASED FOR COURT APPEARANCEDate Time Signature Of Custodian

NOTE TO CUSTODIAN: This form shall accompany the defendant to court for all appearances.

AOC-CR-200, Side Two, Rev. 10/23

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Original

Not set out above.
taken or until the entry of
that person agrees by

STATE OF NORTH CAROLINA

GASTON County

STATE VERSUS

Name And Address Of Defendant
BRANDY CHENELL ASHBY
806 WEST CENTRAL AVE
UNIT 1072
MOUNT HOLLY

NC 28120

CONDITIONS OF RELEASE
AND RELEASE ORDER

File No. 23CRS001733-350
In The General Court Of Justice
☐ District ☒ Superior Court Division

Process No.
RO-24-56307

G.S. Chapter 15A, Art. 25, 26
Amount Of Bond \$

File Numbers And Offenses
23CRS001733-350 OFA: 12/12/2023; F - FORGERY OF INSTRUMENT; F - FORGERY OF INSTRUMENT;

2024 JAN 26 A 8:30
FILED
GASTON CO., C.S.C.

☐ See Attachment.

Location Of Court
Gaston Co. Courthouse, Courtroom 4C ☐ District ☒ Superior Date 12/25/2024 Time 9:30 AM

To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.

The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.

☐ Your release is authorized upon execution of your: ☐ WRITTEN PROMISE to appear ☐ UNSECURED BOND in the amount shown above
☐ CUSTODY RELEASE ☐ SECURED BOND in the amount shown above (NOTE: Give a copy of this order to any surety who posts bond.)
☐ HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) ☐ employment ☐ counseling ☐ course of study ☐ vocational training
BOND above. You may leave your residence for the purpose(s) of

☒ Your release is not authorized.

☐ The defendant is required to provide (check all that apply) ☐ fingerprints under G.S. 15A-502. ☐ a DNA sample under G.S. 15A-266.3A.
☐ Prior to release, the defendant shall provide his/her (check all that apply) ☐ fingerprints. ☐ DNA sample.
☐ The defendant has been ☐ (i) charged with a felony while on probation (complete AOC-CR-272, Side One). ☐ (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).
☐ This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated _____
☐ The defendant is charged with an offense subject to G.S. 15A-534.1, and no judge has acted under that statute within 48 hours of defendant's arrest.
☐ The defendant was arrested or surrendered after failing to appear as required under a prior release order.
☐ This was the defendant's second or subsequent failure to appear in this case. ☐ AOC-CR-242. ☐ AOC-CR-270. ☐ AOC-CR-630. ☐ AOC-CR-631.
☐ Your release is subject to the conditions as shown on the attached ☐ AOC-CR-660. ☐ Other: _____

Additional Information
PENDING PRETRIAL RELEASE ON 20CR053543 & 23CR320390

Date 01/25/2024 Name Of Judicial Official C. STADLER Signature Of Judicial Official *C. Stadler* ☒ Magistrate ☐ Deputy CSC ☐ Assistant CSC ☐ Clerk Of Superior Court ☐ DC Judge ☐ SC Judge

ORDER OF COMMITMENT

To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: ☒ produce him/her in Court as provided above.
☐ hold him/her ☐ as provided on the attached AOC-CR-272. ☐ for the following purpose: PRETRIAL RELEASE FOR PENDING CHA

☐ For charges covered by G.S. 15A-533(a), 15A-534.1, 15A-534.7, or 15A-534.8 produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (for G.S. 15A-534.8, enter date and time 24 hours after arrest; for all others, 48 hours after arrest) _____
_____ produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.

Name Of Detention Facility GCSD Date 01/25/2024 Name Of Judicial Official C. STADLER Signature Of Judicial Official *C. Stadler* (Over)

Original

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.

Signature Of Person Agreeing To Supervise Defendant:

Address Of Person Agreeing To Supervise Defendant:

Signature Of Custodian

The Conditions of Release on the reverse are modified as follows:

Signature Of Judicial Official

The defendant is next Ordered produced in Court as follows:

Signature Of Judicial Official

Signature Of Custodian

R. Thomas Glick

Signature Of Custodian

NOTE TO CUSTODIAN: This form shall accompany the defendant to court for all appearances.

AOC-CR-200, Side Two, Rev. 10/23

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Original