

FILED

NORTH CAROLINA
FRANKLIN COUNTY

2014 JAN -6 AM 8: 28

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

FRANKLIN COUNTY C.S.C.

FILE NOS. 12 CRS 51877, 51878 and 51879

STATE OF NORTH CAROLINA

v.

ORDER DISMISSING WRIT OF
HABEAS CORPUS

SHANNON ZACK NYAMODI,

Defendant

THIS CAUSE came on for review by the undersigned Senior Resident Superior Court Judge of the Ninth Judicial District pursuant to a paper writing entitled "Habeas corpus ad subjiciendum" that was filed in the office of the Franklin County Clerk of Superior Court on 3 January 2014. The Court, upon review of the Court files, makes the following

FINDINGS OF FACT:

1. The Defendant was indicted by the Franklin County Grand Jury on 1 October 2012 in file number 12 CRS 51877 for larceny of a firearm and assault with a deadly weapon, in file number 12 CRS 51878 for attempted first degree murder, robbery with a deadly weapon and conspiracy to commit robbery with a deadly weapon, and in file number 12 CRS 51879 for conspiracy to commit the felony of murder.
2. The Defendant is represented by his privately retained attorney, Mike Klinkosum.
3. This Writ of Habeas Corpus is written by the Defendant's mother, Elizabeth Crudup, who is not an attorney. The paper writing also refers to "Action for Justice (AXJ) which is not an entity that has any legal status or standing in this case.
4. The Defendant's attorney has not adopted the writ.
5. The Defendant has a court date in Franklin County Criminal Superior Court on 21 January 2014.
6. The sworn affidavit of Captain William L. Mitchell of the Franklin County Sheriff's Department dated 17 August 2012 setting forth probable cause for a search warrant states in Paragraph 8, "During the interview process the defendant Nyamodi did in fact admit to the conspiracy to commit murder and did in fact claim the involvement of the co-defendant." Superior Court Judge Donald W. Stephens signed the search warrant on 17 August 2012.