

unlawfully, willfully and feloniously offer and sell to Robert L. Groat a certain security to wit: a partnership interest in Jemez Mountain Broadcasters without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND FIFTY-FOUR ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 30th day of November, 1987, in Guilford County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Groat a certain security, to wit: a partnership interest in Jemez Mountain Broadcasters without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND FIFTY-FIVE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 30th day of November, 1987, in Guilford County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Robert L. Groat a certain security to wit: a partnership interest in Northwest Radio Associates without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND FIFTY-SIX ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 30th day of November, 1987, in Guilford County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Groat a certain security, to wit: a partnership interest in Northwest Radio Associates without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND FIFTY-SEVEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 25th day of January, 1988, in Guilford County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Robert L. Groat a certain security to wit: a partnership interest in Patrick Broadcast Associates without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND FIFTY-EIGHT ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 25th day of January, 1988, in Guilford County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Groat a certain security, to wit: a partnership interest in Patrick Broadcast Associates without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND FIFTY-NINE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 21st day of May, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Kyle C. Eller a certain security to wit: a partnership interest in Hartland Radio Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SIXTY ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 21st day of May, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Kyle C. Eller a certain security, to wit: a partnership interest in Hartland Radio Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SIXTY-ONE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 15th day of July, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Kyle C. Eller a certain security to wit: a partnership interest in West Tennessee Broadcast Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SIXTY-TWO ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 15th day of July, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Kyle C. Eller a certain security, to wit: a partnership interest in West Tennessee Broadcast Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SIXTY-THREE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of November, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Kyle C. Eller a certain security to wit: a partnership interest in Ottawa Broadcast Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SIXTY-FOUR ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of November, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Kyle C. Eller a certain security, to wit: a partnership interest in Ottawa Broadcast Partnership without having registered as a securities salesman with the Office of the

Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SIXTY-FIVE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 30th day of November, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Kyle C. Eller a certain security to wit: a partnership interest in Shiloh Broadcasting Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SIXTY-SIX ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 30th day of November, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Kyle C. Eller a certain security, to wit: a partnership interest in Shiloh Broadcasting Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SIXTY-SEVEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of December, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Kyle C. Eller a certain security to wit: a partnership interest in Ashmo Radio Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SIXTY-EIGHT ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of December, 1987, in Iredell County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Kyle C. Eller a certain security, to wit: a partnership interest in Ashmo Radio Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SIXTY-NINE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of September, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Robert L. Feimster a certain security to wit: a partnership interest in Iowa Radio Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SEVENTY ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of September, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Feimster a certain security, to wit: a partnership interest in Iowa Radio Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SEVENTY-ONE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 13th day of October, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Robert L. Feimster a certain security to wit: a partnership interest in Nebraska Broadcast Associates without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SEVENTY-TWO ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 13th day of October, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Feimster a certain security, to wit: a partnership interest in Nebraska Broadcast Associates without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SEVENTY-THREE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 29th day of October, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Robert L. Feimster a certain security to wit: a partnership interest in Lake Maumelle FM Associates without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SEVENTY-FOUR ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 29th day of October, 1987, in Alexander County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Robert L. Feimster a certain security, to wit: a partnership interest in Lake Maumelle FM Associates without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SEVENTY-FIVE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 19th day of January, 1987, in Forsyth County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Jackie Leo Gower a certain

security to wit: a partnership interest in Loris Radio Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SEVENTY-SIX ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 19th day of January, 1987, in Forsyth County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Jackie Leo Gower a certain security, to wit: a partnership interest in Loris Radio Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SEVENTY-SEVEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of February, 1987, in Forsyth County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Jackie Leo Gower a certain security to wit: a partnership interest in Ocean Pines FM Partnership without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND SEVENTY-EIGHT ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 2nd day of February, 1987, in Forsyth County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Jackie Leo Gower a certain security, to wit: a partnership interest in Ocean Pines FM Partnership without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

✓ COUNT ONE HUNDRED AND SEVENTY-NINE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 11th day of February, 1988, in Wake County, Thomas L. Root, did unlawfully, willfully and feloniously offer and sell to Bobby L. Raybon a certain security to wit: a partnership interest in New Song Communications without having registered said security with the Office of the Secretary of State of North Carolina, as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-24.

✓ COUNT ONE HUNDRED AND EIGHTY ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 11th day of February, 1988, in Wake County, Thomas L. Root, did unlawfully, willfully and feloniously transact business in North Carolina by selling to Bobby L. Raybon a certain security, to wit: a partnership interest in New Song Communications without having registered as a securities salesman with the Office of the Secretary of State as required by the North Carolina Securities Act, in violation of N.C.G.S. 78A-36.

Howard S. Boney Jr.
~~Assistant~~ District Attorney

WITNESSES:

X Earl F. Manning, Office of the Secretary of State

 Elizabeth T. Powell, Office of the Secretary of State

 Benjamin A. Lewis, Office of the Secretary of State

The witnesses marked "X" were sworn by the undersigned Foreman of the Grand Jury and, after hearing testimony, this bill was found to be:

X

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

NOT A TRUE BILL

DATE: 6/4/90

M A Nus
Signature of Grand Jury Foreman

STATE OF NORTH CAROLINA

File No. 90 CRS 8496-8499; 9155-9161

In The General Court Of Justice

District Superior Court Division

NASH County

STATE VERSUS

Name Of Defendant

THOMAS L. ROOT

TRANSCRIPT OF PLEA

G.S. 15A-1022

The defendant, having offered a plea of NO CONTEST and being first duly sworn, makes the following answers to the questions set out below:

Answers

- 1. Are you able to hear and understand me? Yes Sir
- 2. Do you understand that you have the right to remain silent and that any statement you make may be used against you? Yes Sir
- 3. Are you now under the influence of alcohol, drugs, narcotics, medicines, pills, or any other intoxicants? No Sir
(a) When was the last time you used or consumed any such substance? _____
- 4. Have you discussed your case fully with your lawyer and are you satisfied with his legal services? Yes Sir
- 5. (a) Do you understand that you are pleading (~~guilty~~) (no contest) to the felonies of Violation of N.C.G.S. 78A-24 (90 Counts); Violation of N.C.G.S. 78A-36 (90 Counts); Conspiracy to commit felony in violation of North Carolina Securities Act (Counts 1, 2, 4, and 5 in indictment); Violation of N.C.G.S. 78A-8(2) (90 Counts); and Violation of N.C.G.S. 78-8(3) (90 Counts)? Yes Sir
- 5. (b) Do you understand that you are pleading (guilty) (no contest) to the misdemeanors of _____? _____
- 6. Have the charges been explained to you by your lawyer, and do you understand the nature of the charges, and do you understand every element of each charge? Yes Sir
- 7. Do you understand that upon your plea you could be imprisoned for a possible maximum sentence of 1812 years _____ months (and that the mandatory minimum sentence is _____ years _____ months)? Yes Sir
- 8. Do you understand that you have the right to plead not guilty and be tried by a jury and at such trial to be confronted with and to cross-examine the witnesses against you, and by this plea you give up these and your other constitutional rights relating to trial by jury? Yes Sir
- 9. (~~If applicable~~) Do you understand that, because you are not a citizen of the United States of America, this plea may result in deportation, the exclusion from admission to this country, or the denial of naturalization under federal law? _____
- 10. Do you now personally plead (~~guilty~~) (no contest)? Yes Sir
- 11. (~~or, if applicable, Are you in fact guilty?~~) (b) (~~If applicable~~) Do you understand that upon your plea of no contest you will be treated as being guilty whether or not you admit your guilt? Yes Sir
- 12. Have you agreed to plead as a part of a plea arrangement? Before you answer, I advise you that the Courts have approved plea negotiating, and if there is such, you may advise me truthfully without fear of incurring my disapproval. Yes Sir

36a

90.53-368

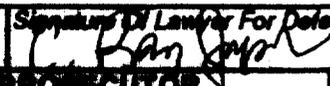
13. (if applicable) The prosecutor and your lawyer have informed the Court that these are all the terms and conditions of your plea. **Answers**
State agrees to dismiss Counts 1 through 90 in 90 CRS 8499 and 90 CRS 9161 and Count 3 in 90 CRS 8496. Defendant agrees to give truthful testimony for the State in other criminal actions filed and/or being filed in connection with the matters asserted in the indictments against defendant. Defendant to receive a fifteen (15) year active sentence to run concurrent with any sentence imposed against defendant by any federal court. Defendant to pay a fine of \$5,000.00 on or before January 1, 1994. Prayer for judgment to be continued until first criminal session of Nash County Superior Court in January, 1991. Defendant to pay three bills of cost and reimburse the State
 (a) Is this correct as being your full plea arrangement? Yes Sir
 (b) Do you now personally accept this arrangement? Yes Sir
14. (Other than the plea arrangement between you and the prosecutor) has anyone made any promises or threatened you in any way to cause you to enter this plea against your wishes? No Sir
15. Do you enter this plea of your own free will, fully understanding what you are doing? Yes Sir
16. Do you have any questions about what has just been said to you or about anything else connected with your case to this point? No Sir

I am 37 years of age and have completed the 20 grade of school. (List any additional education, if applicable.)
 BA Journalism - Ohio Wesleyan University
 MA Journalism - Ohio State University
 Juris Doctorate - Ohio State University
 I have read or have heard all of these questions and understand them. The answers shown are the ones I gave in open court and they are true and accurate. Neither my lawyer nor anyone else has told me to give false answers in order to have the Court accept my plea in this case. The conditions of the plea as stated on the reverse, if any, are accurate.

SWORN AND SUBSCRIBED TO BEFORE ME	Date <u>10-26-90</u>
	Signature Of Defendant 
Signature Of Deputy Or Assistant CSC <u>10-26-90</u> <u>Maury Matthews antcsc</u>	Name Of Defendant (Type Or Print)

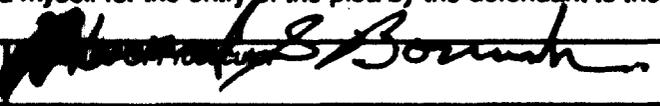
CERTIFICATION BY LAWYER FOR DEFENDANT

As lawyer for the defendant named above, I hereby certify that the conditions stated on the reverse, if any, upon which the defendant's plea was entered are correct and they are agreed to by the defendant and myself upon which the defendant's plea was entered. I further certify that I have fully explained to the defendant the nature and elements of the charges to which he is pleading.

Date <u>10-26-90</u>	Signature Of Lawyer For Defendant 
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CERTIFICATION BY PROSECUTOR

As prosecutor for the 7th Prosecutorial District, I hereby certify that the conditions stated on the reverse, if any, are the terms agreed to by the defendant and his lawyer and myself for the entry of the plea by the defendant to the charge in this case.

Date <u>10-26-90</u>	
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PLEA ADJUDICATION

Upon consideration of the record proper, evidence presented, answers of defendant, and statements of the lawyer for the defendant and the prosecutor, the undersigned finds:

1. That there is a factual basis for the entry of the plea.
2. That the defendant is satisfied with his lawyer.
3. That the defendant is competent to stand trial and that the plea is the informed choice of the defendant and is made freely, voluntarily and understandingly.

The defendant's plea is hereby accepted by the Court and is ordered recorded.

Date <u>10-26-90</u>	Signature Of Presiding Judge 
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STATE OF NORTH CAROLINA

File No. 90-CRS-8497, 9155, 9156, 9157

Nash County Nashville Seat Of Court In The General Court Of Justice

NOTE: (This form is not to be used for multiple offenses unless they are consolidated for judgment.) District Superior Court Division

STATE VERSUS

Defendant **Thomas L. Root**

Race **W** Sex **M** DOB **4-3-53** Pre-FSA Felony

Attorney For State **Howard Boney Eugene Cella** Def. Found Def. Waived Not Indigent Attorney

DWI Offense Level Of Punishment (G.S. 20-179)

JUDGMENT AND COMMITMENT

G.S. 15A-1301

Attorney For Defendant **C. Ray Joyner** Appointed Retained

Driver's License No. (DWI Only) State (DWI Only)

The defendant pled guilty to: was found guilty by the Court of: was found guilty by a jury of: pled no contest to:

File No.(s) And Offense(s)	Date Of Offense	G.S. No.	Fel./M.	Class	Max. Term	Presumptive
90-CRS-8497, 9155, 9156, 9157						
SEE ATTACHED SHEETS						

The above offenses are consolidated for the purpose of judgment.

The Court having considered evidence, arguments of counsel and statement of the defendant Orders that the defendant be imprisoned

for a term of **Five (5) years*** in the custody of the N.C. Dept. of Correction Sheriff of _____ County

The defendant shall be given credit for 0 days spent in confinement prior to the date of this Judgment as a result of this charge.

The sentence imposed above shall begin at the expiration of all sentences which the defendant is presently obligated to serve.

The sentence imposed above shall begin at the expiration of the sentence imposed in the case referenced below:

(NOTE: List the Case Number, Date, County And Court In Which Prior Sentence Imposed.)

*Sentence to run concurrently with any sentence he is required to serve in the custody of the Federal Bureau of Prisons. Within 48 hours of his release from custody of the Federal Bureau of Prisons, he shall surrender himself to the

(check all that apply) custody of the North Carolina Department of Correction.

- The defendant shall serve as a committed youthful offender pursuant to G.S. Chapter 148, Article 3B. The defendant should not obtain the benefit of release pursuant to G.S. 148-49.15.
- The defendant shall pay the costs. in one case The defendant shall pay a fine of \$ 5,000.00
- Immediate work release is recommended pursuant to G.S. 148-33.1. Work release is recommended. Work release is not recommended.
- With the consent of the defendant, work release is ordered under the conditions set forth in the attached order (applies to misdemeanants only).
- The Court does not recommend that the defendant be required to pay restitution or reparation, as a condition of parole if parole is granted, or from his earnings if work release is granted.
- The Court recommends that the defendant be required to pay, as a condition of parole if parole is granted, or from his earnings if work release is granted, the items and amounts set out below.

Fine \$	Costs \$	Restitution \$	Reimbursement For Counsel Fee(s) And Other Expenses \$	Total Amount Due \$
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Names and address(es) of aggrieved party (parties) to receive restitution (specify amount if more than one aggrieved party)

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The Court further recommends: The defendant shall pay reimbursement for the fee to be allowed his court appointed attorney. Fine, costs and reimbursement for attorney fees are to be paid on or before January 1, 1995.

FOR USE WITH FAIR SENTENCING ACT FELONIES ONLY

The Court has considered the aggravating and mitigating factors in G.S. 15A-1340.4(a) and

- makes no written findings because the prison term imposed does not require such findings.
- makes no written findings because the prison term imposed is pursuant to a plea arrangement as to sentence under Article 58 of G.S. Chapter 15A.
- makes written findings set forth on the attached Findings of Factors in Aggravation and Mitigation of Punishment (AOC-CR-303).

AWARD OF FEE TO COUNSEL FOR DEFENDANT

- A hearing was held in open court in the presence of the defendant at which time a fee, including expenses, was awarded the defendant's appointed counsel or assigned public defender.

ORDER OF COMMITMENT

It is ORDERED that the Clerk deliver three certified copies of this Judgment and Commitment to the Sheriff or other qualified officer and that the officer cause the defendant to be delivered with these copies to the custody of the agency named on the reverse to serve the sentence imposed or until he shall have complied with the conditions of release pending appeal.

Date 8-28-92	Name Of Presiding Judge (Type Or Print) Frank R. Brown	Signature Of Presiding Judge <i>[Signature]</i>
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APPEAL ENTRIES

- The defendant gives notice of appeal from the judgment of the District Court to the Superior Court. The current pretrial release order shall remain in effect. except that:

- The defendant gives notice of appeal from the judgment of the Superior Court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on Form AOC-CR-350.

Date	Name Of Presiding Judge (Type Or Print)	Signature Of Presiding Judge
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ORDER OF COMMITMENT AFTER APPEAL

Date Remanded To District Court	Date Appeal Dismissed	Date Withdrawal Of Appeal Filed	Date Appellate Opinion Certified
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It is ORDERED that this Judgment be executed. It is FURTHER ORDERED that the Sheriff arrest the defendant, if necessary, and recommit the defendant to the custody of the official named in this Judgment and furnish that official three certified copies of this Judgment and this Order as authority for the commitment and detention of the defendant.

Date	Signature Of Clerk
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- Deputy CSC Assistant CSC Clerk Of Superior Court

CERTIFICATION

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

- Findings Of Factors In Aggravation And Mitigation Of Punishment (AOC-CR-303)
- Determination Of Sentencing Factors In DWI Cases (AOC-CR-311)
- Appeal Entries (AOC-CR-350)

Signature And Seal

Certified Copies Delivered To Sheriff

- Deputy CSC Assistant CSC Clerk Of Superior Court

17-92 copy to NC Dept. of Cor., Raleigh
copy to Federal Cor. Inst., Milan, Ohio
copy to Dep. + copy to Rufus Edmister

File No. (s) and Offense(s)	Date of Offense	G.S. No.	Felony/Misd	Class	Max Term	Pre
(COUNTS 1 through 49)						
(F) FAIL TO REGISTER SECURITY	9-16-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	9-16-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-10-86	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-10-86	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-17-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-17-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-14-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-14-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	12-10-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	12-10-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	2-24-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	2-24-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	10-3-86	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	10-3-86	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-14-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-14-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	3-25-88	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	3-25-88	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-11-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-11-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-24-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-24-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	2-6-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	2-6-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	6-11-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	6-11-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-16-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-16-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	12-10-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	12-10-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-16-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-16-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	3-16-88	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	3-16-88	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	9-11-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	9-11-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	2-11-88	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	2-11-88	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	4-17-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	4-17-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	12-30-86	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	12-30-86	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	4-3-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	4-3-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	3-17-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	3-17-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-12-87	78A-24	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY DEALER	11-12-87	78A-36	Fel	I	5 yrs 2 Y1	
(F) FAIL TO REGISTER SECURITY	11-19-87	78A-24	Fel	I	5 yrs 2 Y1	

File No. (s) and Offense(s) COUNTS 50 through 98)	Date of Offense	C.S. No.	Felony/Misd.	Class	Max Term	Pr
(F) FAIL TO REGISTER SECURITY DEALER	11-19-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-10-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-10-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	10-5-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	10-5-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	10-14-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	10-14-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	12-30-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	12-30-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-9-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-9-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-6-88	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-6-88	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-10-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-10-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-10-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-10-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	3-11-88	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	3-11-88	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	9-12-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	9-12-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-22-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-22-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	12-1-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	12-1-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	12-22-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	12-22-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-26-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-26-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	3-13-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	3-13-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-9-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-9-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-27-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-27-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-3-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-3-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-1-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-1-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	7-14-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	7-14-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	11-7-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	11-7-86	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-24-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	6-24-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	6-27-87	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	7-27-87	78A-36	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY	10-6-86	78A-24	Fel	I	5 yrs 2 yr	
(F) FAIL TO REGISTER SECURITY DEALER	10-6-86	78A-36	Fel	I	5 yrs 2 yr	

File No.(s) and Offense(s)	Date of Offense	U.S. No.	Felony/Mod	Class	Max Term	Pr
COUNTS 99 through 147)						
(F) FAIL TO REGISTER SECURITY	10-22-86	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	10-22-86	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	7-28-86	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	7-28-86	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	12-12-86	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	12-12-86	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	2-2-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	2-2-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	2-24-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	2-24-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	6-5-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	6-5-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	1-20-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	1-20-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	1-20-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	1-20-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	2-9-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	2-9-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	2-9-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	2-9-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	2-25-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	2-25-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	4-2-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	4-2-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	3-11-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	3-11-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	4-2-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	4-2-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	4-11-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	4-11-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	5-11-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	5-11-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	5-27-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	5-27-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	6-29-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	6-29-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	7-21-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	7-21-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	7-21-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	7-21-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	8-11-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	8-11-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	8-26-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	8-26-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	9-16-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	9-16-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	10-22-87	78A-24	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY DEALER	10-22-87	78A-36	Fel	I	5 yrs 2 yr	YR
(F) FAIL TO REGISTER SECURITY	10-22-87	78A-24	Fel	I	5 yrs 2 yr	YR

File No.(s) and Offense(s) COUNTS 148 through 180	Date of Offense	U.S. No.	Felony/Mod	Class	Max Term	Prob
F) FAIL TO REGISTER SECURITY DEALER	10-22-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	10-27-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	10-27-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	10-27-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	10-27-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	11-30-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	11-30-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	11-30-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	11-30-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	1-25-88	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	1-25-88	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	5-21-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	5-21-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	7-15-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	7-15-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	11-2-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	11-2-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	11-30-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	11-30-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	12-14-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	12-14-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	9-2-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	9-2-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	10-13-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	10-13-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	10-29-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	10-29-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	1-19-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	1-19-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	2-2-87	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	2-2-87	78A-36	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY	2-11-88	78A-24	Fel	I	5 yrs 2 yr	
F) FAIL TO REGISTER SECURITY DEALER	2-11-88	78A-36	Fel	I	5 yrs 2 yr	

M
M
B
E
X
G

<u>Federal Communications</u>	
Docket No. <u>93-135</u>	Exhibit No. <u>6</u>
Presented by <u>MASS MEDIA</u>	
Disposition	Identified <u>12/14</u>
	Received <u>12/14</u>
	Rejected
Reporter <u>BARBARA LORD</u>	
Date <u>12/14/93</u>	



NASH

County

Office of the Clerk of the Superior Court

I, Mary J. Matthews, Asst., Clerk of the Superior Court of
Nash County, State of North Carolina, said Court being
a Court of Record, having an official seal, which is hereto affixed,
do hereby certify the foregoing and attached (106 sheets)
to be a true copy of INDICTMENT, TRANSCRIPT OF PLEA AND JUDGMENT
AND COMMITMENT IN FILE NOS: 90-CRS-8498, 9158, 9159, 9160, STATE OF
NORTH CAROLINA VERSUS THOMAS L. ROOT

as the same is taken from and compared with the original now on
file in this office.

In Witness Whereof, I hereunto subscribe my name and affix the
seal of the Superior Court of NASH County, at my
office in NASHVILLE, North Carolina, this 12th day of
NOVEMBER 1993, 19 .

Mary J. Matthews
Assistant Clerk Superior Court
Ex Officio Judge of Probate

SEAL

STATE OF NORTH CAROLINA
NASH COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

CrS _____

STATE OF NORTH CAROLINA

V.

THOMAS L. ROOT

Defendant

INDICTMENT

COUNT ONE

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 16th day of September, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Kansas Broadcast Associates to J.E. Bryant, did directly and indirectly make an untrue statement of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said J.E. Bryant to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

COUNT TWO

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 16th day of September, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Kansas Broadcast Associates to J.E. Bryant, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon J.E. Bryant, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlebaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to

the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled J.E. Bryant. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT THREE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 10th day of November, 1986, in Wilson County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Holmes Beach Partnership to Edward E. Fulford, did directly and indirectly make an untrue statement of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said Edward E. Fulford to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT FOUR ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 10th day of November, 1986, in Wilson County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Holmes Beach Partnership to Edward E. Fulford, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon Edward E. Fulford, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit

was as follows: The defendant acting with Eugene B. White, Carl W. Hurlbaas, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled Edward E. Fulford. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT FIVE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 17th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in WLGP Radio Partnership to C. H. Casper, did directly and indirectly make an untrue statement of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said C. H. Casper to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT SIX ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 17th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in WLGP Radio Partnership to C.H. Casper, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud

and deceit upon C.H. Casper, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlbaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled C.H. Casper. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT SEVEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in WLGP Radio Partnership to John T. Coley, did directly and indirectly make an untrue statement of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said John T. Coley to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT EIGHT ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to

wit: a partnership interest in WLGP Radio Partnership to John T. Coley, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon John T. Coley, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlebaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled John T. Coley. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT NINE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 10th day of December, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Vezina Broadcasting Group to Cecil L. Curtis did directly and indirectly make an untrue statement of material fact, to wit: that he would receive a very large return on his investment; and further, the defendant did directly and indirectly omit to state material facts which caused said Cecil L. Curtis to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT TEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 10th day of December, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Vezina Broadcasting Group to Cecil L. Curtis, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon Cecil L. Curtis, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlebaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled Cecil L. Curtis. The statement that was false and misleading was, that he would receive a very large return on his investment. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT ELEVEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 24th day of February, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Texas FM Association to Donna K. Dawson, did directly and indirectly make an untrue statement of material fact, to wit: that there was very little risk in this investment; and further, the defendant did directly and indirectly omit to state material facts which caused said Donna K. Dawson to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the

North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT TWELVE ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 24th day of February, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in Texas FM Association to Donna K. Dawson, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon Donna K. Dawson, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlbaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled Donna K. Dawson. The statement that was false and misleading was, that there was very little risk in this investment. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT THIRTEEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in West Point Radio Associates to James R. Dickens, did directly and indirectly make an untrue statement of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said James R. Dickens to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina

Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT FOURTEEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 14th day of November, 1987, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in West Point Radio Associates to James R. Dickens did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon James R. Dickens, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlbaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled James R. Dickens. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT FIFTEEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 3rd day of October, 1986, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in WLGP Radio Partnership to James R. Dickens, did directly and indirectly make untrue statements of material fact, to wit: that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit; and further, the defendant did directly and indirectly omit to state material facts which caused said James R. Dickens to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal, professional and criminal background of Ralph M. Savage; the defendant further failed to disclose the true personal and professional background of Eugene B. White; the defendant further failed to disclose the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of

FM radio applications; the defendant further failed to disclose the true chances of getting an FM radio construction permit; the defendant further failed to disclose that the security described above was not properly registered with the North Carolina Secretary of State's Office; and, the defendant further failed to disclose that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office; said untrue statements and omissions being in violation of N.C.G.S. 78A-8(2).

✓ COUNT SIXTEEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 3rd day of October, 1986, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in WLGP Radio Partnership to James R. Dickens, did directly and indirectly engage in an act, practice, and course of business which operated as a fraud and deceit upon James R. Dickens, in violation of N.C.G.S. 78A-8(3). Said act, practice, or course of business which operated as a fraud and deceit was as follows: The defendant acting with Eugene B. White, Carl W. Hurlebaus, Ralph M. Savage, Sonrise Management Services, Inc., Telemedia, Inc. and various others known and unknown to the State on the date alleged above did offer and sell the security alleged described above through the use of statements that were false, misleading and that omitted material facts that misled James R. Dickens. The statement that was false and misleading was, that Sonrise Management Services, Inc. would handle all matters concerning the application for an FM radio construction permit. The statements that omitted material facts were; that the true risks of this investment were not disclosed; and further, that the true use of the proceeds of the offering of the security was not disclosed; and further, that the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits was not disclosed; and further, that the true personal, professional and criminal background of Ralph M. Savage was not disclosed; and further, the true personal and professional background of Eugene B. White was not disclosed; and further, that the lack of expertise of the agents of Sonrise Management Services, Inc. in the area of FM radio applications was not disclosed; and further, that the true chances of getting an FM radio construction permit were not disclosed; and further, the fact that the security described above was not properly registered with the North Carolina Secretary of State's Office was not disclosed; and further, that the salespeople selling the security described above were not properly registered with the North Carolina Secretary of State's Office was not disclosed.

✓ COUNT SEVENTEEN ✓

THE JURORS FOR THE STATE UPON THEIR OATH PRESENT that on or about the 25th day of March, 1988, in Nash County, Thomas L. Root, unlawfully, willfully and feloniously, in connection with the offer and sale of a certain security, to wit: a partnership interest in New Song Communications to Otho Dodd, did directly and indirectly make untrue statements of material fact, to wit: that Sonrise Management Services, Inc. had a very successful track record in making applications for FM radio construction permits; and further, that there was very little risk in this investment; and further, the defendant did directly and indirectly omit to state material facts which caused said Otho Dodd to be misled, to wit: the defendant failed to disclose the true risks of the investment; the defendant further failed to disclose the true use of the proceeds of the offering of the security; the defendant further failed to disclose the true record of success by Sonrise Management Services, Inc. in the area of obtaining FM radio construction permits; the defendant further failed to disclose the true personal,