File No.	Law Enforcement Case No A0507171101 LID N	Vo. SID No. FBI No.	And the second s
14CR 217660	Law Enforcement Case No. 140507171101 LID N		
MAGISTRATE'S ORDER		437441	
Offense	STATE OF NORTH CAROLIN	IA	
I'F-SECOND DEGREE RAPE	MECKLENBURG Cour	ntv In The General Court Of Justice	
		District Court Division	
THE STATE OF NORTH CAROLINA VS.			
Name And Address Of Defendant - ASHUTOSH VIRMANI	I, the undersigned, find that the defenda	ant named above has been arrested wit	hout a warrant and the
ASHOTOSH VIRWANI	defendant's detention is justified because	se there is probable cause to believe th	at on or about the date
4626 CHARLESTOWNE MANOR DR	of offense shown and in the county nan	and the state of t	Annual Control of the
	and feloniously did carnally know and		the time physically
CHARLOTTE NC 28211	1	wito was at	ше ине риузкану
(704) 907-1000	helpless.		
SE DIST			•
Race Sex Date Of Birth Age	· ·		•
W M 08/08/1953		•	
Social Security No. Drivers License No. & State	1		
15-0506 1-W-CO-1-W-C-W-C			
Name Of Defendant's Employer		the contract of	
Offense Code(s) Offense In Violation Of G.S.	-		
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		•	
10/2011			
101	_	•	
Date Of Offense 05/07/2014 through 05/07/2014			<i>f</i>
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)	- 		
05/07/2014 2661FPD			
Arresting Officer (Name, Address Or Department)	7	·	
HORTON, S A P3812			
CHARLOTTE MECKLENBURG POLICE DEPARTM 601 EAST TRADE ST	티	· ·	
CHARLOTTE NC 28202			•
MECKLENBURG (704) 336-7600			•
Names & Addresses Of Witnesses (Including Counties & Telephone Nos.)	This are made to be provided as the second		Annials Chalais to Name of
THOMPSON, B P3564	This act was in violation of the law referre upon information furnished under oath by	ed to in this magistrate's Order. This Magis	birate's Order is issued this Order has been
CHARLOTTE MECKLENBURG POLICE DEPARTM	El delivered to the defendant.	and and an action of the state	process of the second behavior to
601 EAST TRADE ST	Signature	Location Coccust	Court Poto
CHARLOTTE NC 28202 MECKLENBURG (704) 336-7600	F G BEER	Location Of Court Mecklenburg County Courthouse; 1150	Court Date
	Magistrate Deputy CSC	832 EAST FOURTH ST	05/09/2014 Court Time
Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan 05/08/2014	Assistant CSC Clerk Of Superior Court	CHARLOTTE,NC 28202	1:00 ☐ AM 🗵 PM
	(over)		- L-
AOC-CR-116, Rev. 5/13 (Structured Sentencing)	ORIGINAL COPY	· · · · · · · · · · · · · · · · · · ·	/RA Case
© 2013 Administrative Office of the Courts			* * * * * * * * * * * * * * * * * * * *

STATE OF NORTH CA	ROLINA	\		File No.	14CR217660		
MECUI ENDIDC			In The	General Court Of Just	ice		
County			•		Superior Court D	Superior Court Division	
STATE VERSUS Defendant Name ASHUTOSH VIRMANI		DISMISSAL NOTICE OF REINSTATEMENT (For Offenses Committed On Or After Dec. 1, 2013)					
File Number	Count No. (n)			Offensels)	G.S. 15A-302(e)	<u>, -931, -932</u>	
14CR217660	Count No.(s)	SECOND DEGR		Offense(s)		····	
1401217000	•	DECOND DEGIC	BL IVII D		·		
						-	
					·		
DISMISSAL					•		
NOTE: Recall all outstanding Ord						-	
The undersigned prosecutor ente	ırs a dismissal	to the above char	ge(s) and assigns t	he following re	easons:		
1. No crime is charged.			, ,				
Z. There is insufficient evident SEE DEVERSE	ce to warrant ;	prosecution for the	tollowing reasons:				
SEE REVERSE.							
[3 Defendant has accord to 11	lood ouiltite t	ha fallawine -he					
3. Defendant has agreed to pl	eau guiity.tö t	ue iollowing chard	es.	-			
						•	
in exchange for a dismissal	of the following	no charges:	•	•			
in exercises for a definedar		ng changes.					
4. Other: (specify)	e additional in	formation on reve	rse,				
		•	1				
A jury has not been impaneled no this sentence accordingly.)	r has evidence	e been introduced.	(If a jury has been im	paneled, or if ev	vidence has been introduce	d, modify	
DISMISSAL WITH LEAVE				•	- 1		
The undersigned prosecutor enter 1. The defendant failed to approsecutor believes that the	pear for a crim	inal proceeding at	which the defendar				
2. The defendant has been in	dicted and car	nnot readily be fou	ind to be served with	h an Order Fo	r Arrest.		
3. The defendant has entered Article 82 of G.S. Chapter		ed prosecution agr	eement with the pro	secutor in acc	ordance with the provisi	ons of	
4. Other: (specify)	additional inf	ormation on reven	se.				
			•	4			
· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·				
OTE: This form must be completed and complete and sign the form when	signed by the p	prosecutor when the	dismissal occurs out o	of court. The bet	ter practice is for the prosec	cutor to	
Also, in accordance with G.S. 15/ written dismissal of the charges a record reflects that the defendant	A-931(a1), unles gainst the defer is in custody, th	ss the defendant or to ndant must be served ne written dismissal s	he defendant's attome d in the same manner	prescribed for m	notions under G.S. 15A-951	cutor, a . If the	
custodial facility where the defend Name Of Prosecut		-	Signature Of Pro	osecutér \ o	\ 		
10/24/2014 KRISTEN J. N			CPNUATION	Λ (Λ	thelm		
REINSTATEMENT					1		
This case, having previously been	dismissed witi	h leave as indicate	ed above, is now rei	nstated for tria	н. У	-	
Name Of Prosecute	or (Type Or Print)		Signature Of Pro	secutor			
[-							
		(Over)					

ADDITIONAL INFORMATION PERTAINING TO DISMISSAL

The undersigned prosecutor provides the following additional information pertaining to the dismissal entered on the reverse:

The victim and the defendant met on a dating website. They then communicated via text message regarding meeting in person, however the victim decided she was not interested in him and declined to meet. At some point after this the victim agreed to go to his house on a business matter. While at his house the defendant attacked her.

After leaving his home, the victim sent multiple text messages including, "lol who's this". Each of these messages took place after the alleged rape but before it was reported. The defendant sent her a text message at 2:59pm stating, "thanks for coming".

The victim contacted a friend of hers, who told her to go to the hospital. While at the hospital, she had a sexual assaul; kit completed. No injuries were noted by the nurse. Additionally, nothing of forensic value was retrieved. Therefore, we do not have any forensic evidence to corroborate that sexual contact took place. The defendant did not speak to officers, but consented to a search of his home. No condom was located, although a wrapper was found in a garbage can on the first floor of his home. Nothing else of evidentiary value was located.

During the course of the investigation Detectives requested that the victim turn in her cell phone to have it processed by the crime lab. Upon review of the text messages and data that was received we determined that the victim was directed to intentionally delete messages from her phone before turning it in to law enforcement. These messages were primarily between the victim and a third party other than the defendant. She did in fact delete many text messages. The State believes that should this case have proceeded to trial, evidence of the deleted messages would have been brought out in court.

Based on the above, proving the crimes charged beyond a reasonable doubt to a jury would be unlikely. As a result and after consultation with the victim, the State is taking voluntary dismissals of the charges.

Date

10/24/2014

Name Of Prosecutor (Type Or Print)

KRISTEN J. NORTHRUP

Signature Oil Prosecutor

ACC-CR-307B, Side Two, New 12/13 © 2013 Administrative Office of the Courts

File No. 14CR 217662	Law Enforcement Case No	11000, 1, 1101	LID No.	SID No. FB	I No.
MAGISTRATE'S ORDER	CHARLOTTE MECKLENBU		437441		
Offense	─ STATE OF I	NORTH CARO	LINA		
I F-SECOND DEGREE SEXUAL OFFENSE	MECK	LENBURG (County In The	e General Court Of Ju	ıstice San
			Journey	District Court Division	1
THE STATE OF NORTH CAROLINA VS.					
Name And Address Of Defendant ASHUTOSH VIRMANI	I, the undersign	ed, find that the def	endant named al	bove has been arres	ted without a warrant and the
ASHOTOSH VIKWANI	defendant's dete	ention is justified be	cause there is or	robable cause to bel	ieve that on or about the date
4626 CHARLES TOWNE MANOR DR		-			above unlawfully, willfully
4020 CITALOCESTO WITE INVESTOR DIK		•			• •
CHARLOTTE NC 28211 (704) 907-5817	will.	did engage in a se	x offense with S	TARLA EFIRD by	force and against that victim's
SOE DEWIN					
Race Sex Date Of Birth Age	_				
W M 08/06/1953					
Social Security No. Drivers License No. & State					
					•
Name Of Defendant's Employer					•
Offense Code(s) Offense In Violation Of G.S.	 		* .		
11124 (114-27-5(A)					
Date Of Offense					
05/07/2014 through 05/07/2014		•			
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)		•			
05/07/2014 2661FPD Arresting Officer (Name, Address Or Department)					
HORTON, S A P3812					
CHARLOTTE MECKLENBURG POLICE DEPARTI	MEI				
601 EAST TRADE ST					
CHARLOTTE NC 28202					
MECKLENBURG (704) 336-7600				•	
Names & Addresses Of Witnesses (Including Counties & Telephone No.	s) i This act was in	violation of the law re	ferred to in this M	agistrate's Order Thi	s Magistrate's Order is issued
THOMPSON, B P3564	upon informatio	n furnished under oat	th by the arresting	officer(s) shown. A c	opy of this Order has been
CHARLOTTE MECKLENBURG POLICE DEPARTI	MET delivered to the	defendant.	-	e ,	
601 EAST TRADE ST	Signature	<u> </u>	Location Of Cou	<u></u>	Court Date
CHARLOTTE NC 28202 MECKLENBURG (704) 336-7600	F G BEER		;	g County Courthouse; 1	
	Magistrate	Deputy CSC		OURTH ST	Court Time
Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan Date issued 05/08/2014	7 =	Clerk Of Superior Court	i	TE,NC 28202	1:00 ☐ AM 🗵 PM
		(over)			
AOC-CR-116, Rev. 5/13 (Structured Sentencing)		ORIGINAL COPY			VRA Case
© 2013 Administrative Office of the Courts			•	·	

STATE OF N	ORTH CA	ROLINA			File No.	14CR217662	
MECKI ENDIDG			In The	General Court O	Justice		
County				□ District	Superior Co	ourt Division	
Defendant Name	STATE VE	RSUS	-		DISI	WISSAL	
		·	NC	TICE OF R	REINSTATEM	ENT	
ASHUTOSH VIRMA	1141			(For Offen	ses Committe	d On Or After Dec	:. 1, 2013)
·					<u></u>	G.S. 15A	302(e), -931, -932
File Numb		Count No.(s)	CECOND DECD	EE OEVILAL OE	Offense(s)		
14CR2176	62	1 .	SECOND DEGR	EE SEXUAL OF	ENSE	•	
			·		•		
			·				
⊠ DISMISSAL							
	outstandina Ord	ders For Arres	t in a dismissed ca	se.			
			to the above char		the following re	asons:	
1. No crime is				•			•
		ce to warrant	prosecution for the	following reasons	i:	· .	
SEE REVER	SE.	•				•	
□ 3 Defendant k	on parood to pl	load quilty to t	he following charg	ne:			
☐ 3. Deletidant i	ias agrees to pr	ead guilty to i	ne lollowing charge	.			
			-				
in exchange	for a dismissal	of the followi	ng charges:				
				$\mathbf{r}_{i} = (r_{i}, \ldots, r_{i})$			
4. Other: (spec	ifv) ∏ Se	e additional in	formation on rever	se.	· v		
	<i>"</i> .						
A jury has not bee this sentence accord		r has evidenc	e been introduced.	(If a jury has been i	mpaneled, or if ev	ridence has been inti	oduced, modify
☐ DISMISSAL WIT			•				
The undersigned p					-	~	
			iinal proceeding at annot readily be fo		ant's attendance	a was required and	the
•			nnot readily be fou		ith an Order Fo	r Arrest.	•
			ed prosecution agn	eement with the pr	osecutor in acc	ordance with the p	rovisions of
	f G.S. Chapter						
4. Other: (spec	lfy) ∐ Se∈	additional inf	formation on revers	se.		•	
•							
NOTE: This form must i					of court. The bet	ter practice is for the	prosecutor to
	•	-	e orally dismissed in ss the defendant or ti	. •	av has haan ofhe	nvise notified by the	nracecutor c
written dismissa record reflects ti	of the charges a	gainst the defer is in custody, ti	ndant must be served ne written dismissal s	l in the same manne	r prescribed for m	notions under G.S. 18	5A-951. If the
Date Customer recincy	Name Of Prosecut		-	Sippatyre Of F	rosecutor	\bigcap	
10/24/2014	KRISTEN J. N	NORTHRUP		CHANGE OF THE PROPERTY OF THE	$2\sqrt{(X)}$	all	
REINSTATEMEN	IT .				, , , ,	1	1
This case, having p	reviously been	dismissed wit	h leave as indicate	d above, is now re	einstated for tria	l	J
ate .	Name Of Prosecut	or (Type Or Print)		Signature Of P	rosecutor	· · · · · · · · · · · · · · · · · · ·	
7	<u> </u>		/Over\		-		

ADDITIONAL INFORMATION PERTAINING TO DISMISSAL

The undersigned prosecutor provides the following additional information pertaining to the dismissal entered on the reverse:

The victim and the defendant met on a dating website. They then communicated via text message regarding meeting in person, however the victim decided she was not interested in him and declined to meet. At some point after this the victim agreed to go to his house on a business matter. While at his house the defendant attacked her.

After leaving his home, the victim sent multiple text messages including, "lol who's this". Each of these messages took place after the alleged rape but before it was reported. The defendant sent her a text message at 2:59pm stating, "thanks for coming".

The victim contacted a friend of hers, who told her to go to the hospital. While at the hospital, she had a sexual assault kit completed. No injuries were noted by the nurse. Additionally, nothing of forensic value was retrieved. Therefore, we do not have any forensic evidence to corroborate that sexual contact took place. The defendant did not speak to officers, but consented to a search of his home. No condom was located, although a wrapper was found in a garbage can on the first floor of his home. Nothing else of evidentiary value was located.

During the course of the investigation Detectives requested that the victim turn in her cell phone to have it processed by the crime lab. Upon review of the text messages and data that was received we determined that the victim was directed to intentionally delete messages from her phone before turning it in to law enforcement. These messages were primarily between the victim and a third party other than the defendant. She did in fact delete many text messages. The State believes that should this case have proceeded to trial, evidence of the deleted messages would have been brought out in court.

Based on the above, proving the crimes charged beyond a reasonable doubt to a jury would be unlikely. As a result and after consultation with the victim, the State is taking voluntary dismissals of the charges.

Date

10/24/2014

Name Of Prosecutor (Type Or Print)

KRISTEN J. NORTHRUP

Signature Of Prosocutor

File No. 14CR 217663	Law Enforcement Case N	lo. 140507171101	LID No.	SID No.	FBI No.	
MAGISTRATE'S ORDER	CHARLOTTE MECKLENBU	JRG POLICE DEPARTMENT	437441			
Offense	→ STATE OF	NORTH CARC	LINA			
1F-SECOND DEGREE SEXUAL OFFENSE	MECK	LENBURG	County In 3	The General Court District Court Di		
THE STATE OF NORTH CAROLINA VS.						A STATE OF THE STA
Name And Address Of Defendant ASHUTOSH VIRMANI		•				nout a warrant and the at on or about the date
4626 CHARLESTOWNE MANOR DR		-		-		unlawfully, willfully
CHAPLOTTE NC 28211 (704) 907-4047	and feloniously will.	did engage in a se	ex offense with	n STARLA EFIRI	D by force a	nd against that victim's
Race Sex Date Of Birth Age M FO (1953) Social Security No. Drivers License No. & State						
Name Of Defendant's Employe Offense Code(s) Offense in Violation Of G.S.						
1 1124 VI 14-27.5(A)						· :
Date Of Offense 05/07/2014	1					
Date Of Arrest & Check Digit No. (As Shown On Fingerprint Card)	- 					
05/07/2014 2661FPD					-	
Arresting Officer (Name, Address Or Department)					•	
HORTON, S A P3812 CHARLOTTE MECKLENBURG POLICE DEPART	меј					
601 EAST TRADE ST CHARLOTTE NC 28202			· .			
MECKLENBURG (704) 336-7600	•	•				
Names & Addresses Of Witnesses (Including Countles & Telephone No. THOMPSON, B P3564 CHARLOTTE MECKLENBURG POLICE DEPART 601 EAST TRADE ST	This act was in upon information	on furnished under oa	eferred to in this ath by the arrest	s Magistrate's Orde ing officer(s) show	r. This Magis n. A copy of t	trate's Order is issued his Order has been
CHARLOTTE NC 28202	Signature		Location Of			Court Date
MECKLENBURG (704) 336-7600	F G BEER	·		burg County Courtho	use, 1150	05/09/2014
Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan 05/08/201	Magistrate Assistant CSC	Deputy CSC Clerk Of Superior Cou		T FOURTH ST DTTE,NC 28202		1:00 AM X PM
1 mgerpranting Fer i mgerprinet to: 001001201	1 1 11111111111111111111111111111111111	(over)	CHARLE	J111,110 20202		

			File	No		
STATE OF NORTH CAROLINA			14CR217663			
MECKLENBURG County			In The General Court Of Justice ☑ District ☐ Superior Court Division			
STATE	VERSUS			DIOMICOAL		
Defendant Name ASHUTOSH VIRMANI			DISMISSAL NOTICE OF REINSTATEMENT (For Offenses Committed On Or After Dec. 1, 2013)			
		·		G.S. 15A-302(e), -931, -932		
File Number	Count No.(s)		Offense(s	s)		
14CR217663	1	SECOND DEGR	EE SEXUAL OFFENSE			
•	•			•		
			•	e e		
		·				
⊠ DISMISSAL						
NOTE: Recall all outstanding	g Orders For Arres	st in a dismissed ca	rse,			
The undersigned prosecutor	enters a dismissa	I to the above char	ge(s) and assigns the follow	ving reasons:		
1. No crime is charged.		•				
☒ 2. There is insufficient even	idence to warrant	prosecution for the	e following reasons:			
SEE REVERSE.			•			
				·		
3. Defendant has agreed	to plead guilty to	the following charg	es:			
			,			
in exchange for a dism	viceal of the followi	na charace:				
in exchange for a dism	iissai oi tiib tollowi	ng charges.				
			•			
4. Other: (specify)] See additional ir	nformation on reve	rse.			
				·		
	d nor has evidenc	e been introduced.	. (If a jury has been impaneled,	or if evidence has been introduced, modify		
this sentence accordingly.)						
\square dismissal with Leave	•					
The undersigned prosecutor	enters a dismissal	with leave to the a	bove charge(s) and assigns	the following reasons:		
				ndance was required and the		
prosecutor believes th		*				
		•	ind to be served with an Ord	•		
☐ 3. The defendant has en Article 82 of G.S. Cha		ed prosecution agr	eement with the prosecutor	in accordance with the provisions of		
		formation on revers	QA.	•		
	1 000 additional in	·				
			e ·			
IOTE: This form must be complete	d and signed by the	prosecutor when the	dismissel occurs out of court. To	he better practice is for the prosecutor to		
complete and sign the form						
Also, in accordance with G.S.	S. 15A-931(a1), unle	ss the defendant or t	he defendant's attorney has bee	en otherwise notified by the prosecutor, a		
				d for motions under G.S. 15A-951. If the secutor on the chief officer of the		
custodial facility where the d	efendant is in custod	ly.				
	osecutor (Type Or Print,)	Signature Of Prosecutor	$\mathcal{M}(\mathcal{A}, \mathcal{O}) \simeq \mathcal{O}$		
	I J. NORTHRUP	·		JI (MXX)		
REINSTATEMENT			47	()		
This case, having previously b	een dismissed wit	h leave as indicate	ed above, is now reinstated f	for trial.		
e Name Of Pro	seculor (Type Or Print)	·	Signature Of Prosecutor			
I		(Over)				

ADDITIONAL INFORMATION PERTAINING TO DISMISSAL

The undersigned prosecutor provides the following additional information pertaining to the dismissal entered on the reverse:

The victim and the defendant met on a dating website. They then communicated via text message regarding meeting in person, however the victim decided she was not interested in him and declined to meet. At some point after this the victim agreed to go to his house on a business matter. While at his house the defendant attacked her.

After leaving his home, the victim sent multiple text messages including, "lol who's this". Each of these messages took place after the alleged rape but before it was reported. The defendant sent her a text message at 2:59pm stating, "thanks for coming".

The victim contacted a friend of hers, who told her to go to the hospital. While at the hospital, she had a sexual assault kit completed. No injuries were noted by the nurse. Additionally, nothing of forensic value was retrieved. Therefore, we do not have any forensic evidence to corroborate that sexual contact took place. The defendant did not speak to officers, but consented to a search of his home. No condom was located, although a wrapper was found in a garbage can on the first floor of his home. Nothing else of evidentiary value was located.

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Based on the above, proving the crimes charged beyond a reasonable doubt to a jury would be unlikely. As a result and after consultation with the victim, the State is taking voluntary dismissals of the charges.

Date

10/24/2014

Name Of Prosecutor (Type Or Print) KRISTEN J. NORTHRUP Signature Of Prosecutor