# STATE OF NORTH CAROLINA

File No. 21CR054671-310

Durham County | Durham Seat of Court

In The General Court Of Justice
Superior Court Division

**NOTE:** *[Use AOC-CR-342 for DWI offense(s).]*

**STATE VERSUS**

Name Of Defendant: MIGUEL EN SALGUERO OLIVARES

ICMS Person Record No.: 514972

**NOTE:** *Date Of Birth may be recorded on AOC-CR-1000 (ICMS).*

Race: Other | Sex: Male

## JUDGMENT AND COMMITMENT
## ACTIVE PUNISHMENT - FELONY
## (STRUCTURED SENTENCING)
**(For Offenses Committed Before Dec. 1, 2025)**

G.S. 15A-1301, -1340.13

Attorney For State: B STONE; L COLTRAIN; A LAMARCIA-GARCIA | ☐ Def. Found Not Indigent ☐ Def. Waived Attorney

Attorney For Defendant: JAMES J. RAINSFORD | ☐ Appointed ☒ Retained | Crt Rptr Initials: WC

## FINDINGS AND CONCLUSIONS

The defendant was found guilty/responsible, pursuant to ☐ plea (☐ pursuant to *Alford*) (☐ of no contest) ☐ trial by judge ☒ trial by jury, of

| File No.(s) | Off. | Offense Description | Offense Date | G.S. No. | F/M | CL. | *Pun. CL. |
|---|---|---|---|---|---|---|---|
| 21CR054671-310 | 52 | FIRST DEGREE BURGLARY | 09/07/2012 | 14-51 | Felony Class D | | |
| | | | | | | | |

***NOTE:** *Enter punishment class if different from underlying offense class (punishment class represents a status or enhancement).*

The Court: ☒ 1. has determined, pursuant to G.S. 15A-1340.14, the prior record points of the defendant to be 1. Any prior record level point under G.S. 15A-1340.14(b)(7) is based on the determination of this issue by the trier of fact beyond a reasonable doubt or the defendant's admission to this issue.

☐ 2. makes no prior record level finding because none is required for Class A felony, violent habitual felon, or drug trafficking offenses.

**PRIOR RECORD LEVEL:** I

The Court:

1. The Court makes no written findings because the term imposed is in the presumptive range.

## ORDER

The Court, having considered evidence, arguments of counsel and statement of defendant, Orders that the above offenses, if more than one, be consolidated for judgment and the defendant be sentenced *(check only one)*

☐ to life Imprisonment Without Parole for ☐ Class A Felony. ☐ Class B1 Felony. ☐ Violent Habitual Felon.

☐ to Life Imprisonment With Parole, pursuant to G.S. Chapter 15A, Article 81B, Part 2A.

in the custody of: DAC.

for a minimum term of: 64 Months | for a maximum term of: 89 Months | ☐ ASR Term | ☐ to Death *(see attached Death Warrant and Certificates)*

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

☐ The sentence imposed above shall begin at the expiration 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:

| File No. | Offense | County | Court | Date |
|---|---|---|---|---|
| 21CR054671 | 51 | DURHAM | SUPERIOR | 10/23/2026 |

Material opposite unmarked squares is to be disregarded as surplusage.



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**The Court further Orders:** *(check all that apply)*

1. The defendant shall pay to the Clerk of Superior Court the "Total Amount Due" shown below.

| Costs | Fine | Restitution | Attorney's Fees | SBM Fee | Appt Fee/Misc | Total Amount Due |
|---|---|---|---|---|---|---|
| $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | 0 |

If restitution ordered, see attached "Restitution Worksheet, Notice and Order (Initial Sentencing)," AOC-CR-611, which is incorporated by reference.

**The Court recommends:**

THIS IS TO RUN AT EXP. OF 21CR054671-51

**The Court further recommends:**

## ORDER OF COMMITMENT/APPEAL ENTRIES

☐ 1. It is ORDERED that the Clerk deliver **two** 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 above to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal. **10/26/2026 12:36:21 PM**

☒ 2. The defendant gives notice of appeal from the judgment of the trial court to the Appellate Division. Appeal entries and any conditions of post conviction release are set forth on form AOC-CR-350.

## SIGNATURE OF JUDGE

| *Date* | *Name Of Presiding Judge (type or print)* | *Signature Of Presiding Judge* |
|---|---|---|
| 10/23/2026 | KEITH O GREGORY | |

## ORDER OF COMMITMENT AFTER APPEAL

| *Date Appeal Dismissed* | *Date Withdrawal Of Appeal Filed* | *Date Appellate Opinion Certified* |
|---|---|---|
| | | |

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 agency named in this Judgment on the reverse and furnish that agency **two** certified copies of this Judgment and Commitment as authority for the commitment and detention of the defendant.

| *Date* | *Signature Of Clerk* | |
|---|---|---|
| | | ☐ *Deputy CSC* ☐ *Asst. CSC* ☐ *Clerk Of Superior Court* |

## CERTIFICATION

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

☐ Appellate Entries (AOC-CR-350)
☐ Felony Judgment Findings Of Aggravating And Mitigating Factors (AOC-CR-605)
☐ Judicial Findings As To Forfeiture Of Licensing Privileges (AOC-CR-317)
☐ Victim Notification Tracking Form
☐ Additional File No.(s) And Offense(s) (AOC-CR-626)
☐ Restitution Worksheet, Notice And Order (Initial Sentencing) (AOC-CR-611)
☐ Judicial Findings And Order For Sex Offenders - Active Punishment (AOC-CR-615, Side One)
☐ Additional Findings (AOC-CR-618)
☐ Convicted Sex Offender Permanent No Contact Order (AOC-CR-620)
☐ Other: _____.

| *Date* | *Date Certified Copies Delivered To Sheriff* | *Signature Of Clerk* | |
|---|---|---|---|
| 10/23/2026 | | | ☐ *Deputy CSC* ☒ *Asst. CSC* ☐ *Clerk Of Superior Court* **SEAL** |

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