

UNITED STATES DISTRICT COURT
NORTH CAROLINA WESTERN
PROBATION OFFICE

Reply to:

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Charlotte, NC 28202-2005
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Gregory A. Forest
Chief Probation Officer

Angela R. Mallonee
Deputy Chief Probation Officer

James M. Patterson
Deputy Chief Probation Officer

August 6, 2009

Mr. William A. Bailey, Jr.
[REDACTED]
[REDACTED]

Re: Termination of Supervision

Dear Mr. Bailey:

On July 16, 2009, you completed your term of supervision. When you were convicted of a felony, you lost certain state and federal civil rights.

State rights can be restored by presenting to the Clerk of the Superior Court, in the county wherein you reside, the enclosed Report and Order Terminating Probation/Supervised Release. The request for restoration of rights will be docketed as a civil action, and you will be required to pay a recording fee. The Clerk of Court, thereafter, issues a certificate restoring state rights which you lost. In the event the Clerk is not familiar with this procedure, please advise the Clerk that the Civil Action is completed on the form entitled, Certificate of Restoration of Citizenship (Form AOC-CR-919M). If the Clerk of Court has any questions about this procedure, ask the Clerk to review NCGS 13-1 and 13-2.

However, restoration of your state rights does not apply to your loss of the federal right to own or possess a firearm. Restoration of this right may be obtained through a pardon from the President of the United States.

If you have any further questions, feel free to contact the Probation Office.

Sincerely,

Jenniffe S. Inman
[Signature]

Jenniffe S. Inman
U.S. Probation Officer Assistant

JSI/bjm
Enclosures

**UNITED STATES DISTRICT COURT
for the
Western District of North Carolina**

UNITED STATES OF AMERICA

vs.

Crim. No. 3:09CR000088-01

William A. Bailey, Jr.

On 6/28/2007 the above named was placed on Supervised Release for a period of 3 years. He has complied with the rules and regulations of Supervised Release and is no longer in need of supervision. It is accordingly recommended that William A. Bailey, Jr. be discharged from supervision.

Respectfully submitted,

by s/ Jenniffe S. Inman

Jenniffe S. Inman
U.S. Probation Officer Assistant
200 S. College Street, Suite 1650
Charlotte, NC 28202-2005
(704) 350-6604

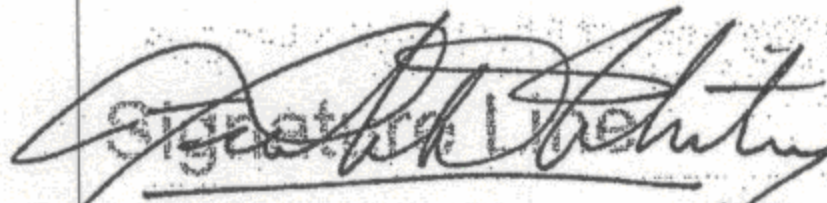
Approved By:

s/ Lisa G. Morris

Lisa G. Morris
Supervising U.S. Probation Officer

ORDER OF THE COURT

Pursuant to the above report, it is ordered that the defendant be discharged from Supervised Release and that the proceedings in the case be terminated.


Signature Line
Title of Signing Office
US District Judge
United States District Court

NOTICE REGARDING CIVIL RIGHTS OF PERSONS CONVICTED
OF A FEDERAL FELONY

UNITED STATES:

The following Federal Civil Rights are lost as the result of a Federal Felony Conviction:

- (1) Full citizenship is lost upon conviction of desertion in time of war from the military or naval service or conviction on a charge of treason or attempting to overthrow or bear arms against the United States.
- (2) The privilege of holding federal office is directly prohibited by conviction of treason, destruction of public records, bribery of Government officials and other similar offenses. However, it is not directly prohibited by reason of conviction of other kinds of crime.
- (3) The right to serve on a Federal Court jury.
Restoration: Obtain a Pardon.
- (4) The right to obtain retirement annuity benefits (Public Law 769 of the 83rd Congress). Also, certain privileges and rights as a veteran (this may result from a court-martial conviction or Federal Civil Court action...but in some cases there may be no prosecution).
Restoration: Obtain a Pardon.
- (5) Labor officials convicted of certain felonies in State or Federal Court cannot hold union office within five (5) years from date of conviction (Public Law 86-257.73, Statute 519).
Restoration: Obtain a Pardon.
- (6) The right to distribute, ship, transport, receive, or possess any type of firearm, ammunition, or explosive materials pursuant to 18 USC 922(d)&(g) and 18 USC 842(i).
Restoration: Apply to Bureau of Alcohol, Tobacco & Firearms of the U. S. Treasury Department; Presidential Pardon. **NOTE:** Effective 10/07/92, due to budgetary constraints, BATF is not accepting applications for relief of disability.

NORTH CAROLINA:

The following North Carolina State Civil Rights are lost as a result of a Federal Felony Conviction:

- (1) Right to vote (Article VI, Section 2(3) State Constitution).
Restoration: File with the Clerk of Superior Court of the county wherein one resides proof of unconditional discharge from probation or parole, or State pardon or Federal Pardon.
- (2) The right to hold public office (Article IV, Section 8 of the State Constitution).
Restoration: File with the Clerk of Superior Court of the county wherein one resides proof of unconditional discharge from probation or parole, or State pardon or Federal Pardon.
- (3) The right to obtain and hold certain state or local licenses. Licensing agencies may refuse to grant or may revoke a license on the basis of a felony conviction.
Restoration: File with the Clerk of Superior Court of the county wherein one resides proof of unconditional discharge from probation or parole, or State pardon or Federal Pardon. Even so, licensing is discretionary.
- (4) The right to work in an establishment where alcoholic beverages are sold. [NCGS 18B-1003(c)].
Restoration: The ABC Board can, in their discretion, permit working in an establishment where alcoholic beverages are sold. In the event it is not permitted, restoration is accomplished upon satisfactorily completing a term of probation/parole and filing with the Clerk of Superior Court of the county wherein one resides proof of unconditional discharge from probation or parole, or State pardon or Presidential pardon.
- (5) The right to own or possess a handgun (NCGS 14-415.1).
(Federal law states a convicted felon cannot receive, transport, own or possess any type of firearm, ammunition, or explosive materials).
Restoration: Apply to the Bureau of Alcohol, Tobacco & Firearms of the U. S. Treasury Department or obtain Presidential pardon. **NOTE**: Effective 10/07/92, due to budgetary constraints, BATF is not accepting applications for relief of disability.
- (6) The right to serve as juror (NCGS 9-3).
Restoration: File with the Clerk of Superior Court of the county wherein one resides proof of unconditional discharge from probation or parole, or State pardon or Federal pardon.

General Procedure for the Restoration of North Carolina Civil Rights which have been lost:

Chapter 13 of the General Statutes of North Carolina has been amended to include persons convicted of crimes against the United States who have been unconditionally discharged by the federal agency having jurisdiction of such person or who has been pardoned.

The person who has been unconditionally discharged or pardoned must go before the Clerk of Court of the County in which he resides and must show that he/she has been unconditionally discharged or pardoned. Proof of discharge or pardon can be shown by presenting to the Clerk "any paper writing" from the agency or the agency of the U. S. Government which had jurisdiction over such person, such papers showing that there has been an unconditional discharge or pardon. There is no requirement that the paper writing must be verified. The Clerk then issues the Certificate restoring the Rights of Citizenship. The Clerk shall file the Certificate as though it were a civil action bearing such person's name and shall treat the Certificate as a civil action in the Superior Court. The Clerk should also assess a miscellaneous document recording fee, currently \$4 for the first page and \$.25 for each additional page.

Upon the proper completion of a term of probation or parole, request the U. S. Probation Office to issue a letter of discharge/termination. With that letter, one can make application for restoration of rights affected by filing the discharge letter with the Clerk of Superior Court.

When you complete the period of supervision, the Probation Office will fully advise you regarding the restoration of rights lost.