

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE DISTRICT
SUPERIOR COURT CRIMINAL DIVISION
FILE NO: 10 CRS 016362

STATE OF NORTH CAROLINA)
)
V.)
)
PETER DUANE DEAVER)
)

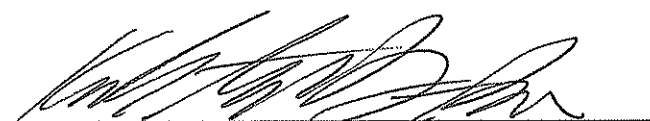
MEDIATED SETTLEMENT AGREEMENT


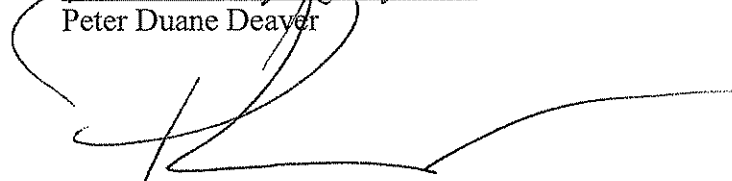
On October 7, 2010, the North Carolina Innocence Inquiry Commission ("Commission") found probable cause to initiate a contempt proceeding against Peter Duane Deaver ("Deaver"). On September 9, 2011, the Commission and Deaver attended a court ordered mediation in good faith. The terms of this agreement were voluntarily arrived at through a mediation conducted by Former Chief Justice Henry E. Frye.

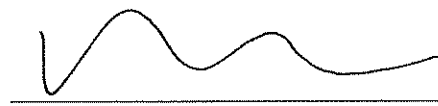
Deaver acknowledges the confusing nature of his testimony, and he understands how the Commission could have been misled.

In light of this acknowledgement, the Commission will not oppose a dismissal of the contempt charge filed against Deaver in the above-captioned matter.

Agreed to September 9, 2011.


Kendra Montgomery-Blinn
Executive Director
North Carolina Innocence Inquiry Commission


Peter Duane Deaver

Philip Miller
Attorney for Peter Duane Deaver


Philip Isley
Attorney for Peter Duane Deaver

NORTH CAROLINA

WAKE COUNTY

STATE OF NORTH CAROLINA

v.

PETER DUANE DEEVER
Defendant

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
10 CRS 16362
WAKE COUNTY, C.S.C.

BY 

ORDER OF DISMISSAL


THIS MATTER coming on to be heard before the undersigned Judge Presiding at the September 14, 2011 Session of Criminal Superior Court of Wake County; and it appearing to the Court as follows:

Upon a mediated settlement conference conducted herein, a resolution of this matter has been reached, under which the North Carolina Innocence Inquiry Commission does not oppose dismissal of the contempt charge filed against the defendant, and upon motion of the defendant for dismissal, the Special Prosecutor agrees to dismissal of the order to show cause and contempt charge against the defendant.

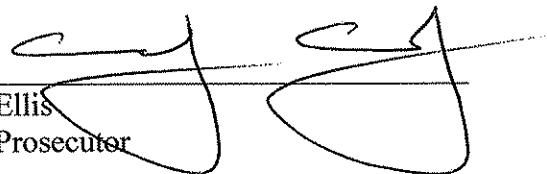
NOW, THEREFORE, IT IS HEREBY ORDERED that upon agreement of the Special Prosecutor to dismiss the contempt charge against the defendant and without opposition by the North Carolina Innocence Inquiry Commission, the motion of the defendant to dismiss the contempt charge is granted;

AND FURTHER, IT IS HEREBY ORDERED that the order to show cause and contempt charge against the defendant herein are dismissed.

This the 14th day of September, 2011.


W. Osmond Smith III
Judge Presiding

Agreement to Dismissal:


Stormy Ellis
Special Prosecutor