


File No. 23CR470408-590		Law Enforcement Case No. 20231129143701	LID No.					
MAGISTRATE'S ORDER		CHARLOTTE MECKLENBURG SCHOOLS POLICE DEPARTMENT						
THE STATE OF NORTH CAROLINA VS.		STATE OF NORTH CAROLINA						
Name And Address Of Defendant GABRIELA ALEXANDRA CARTAYA NEUFELD 1517 Kennon St Charlotte NC 28205 MECKLENBURG COUNTY		In The General Court Of Justice District Court Division MECKLENBURG County						
OFFENSE(S) (see AOC-CR-116 Continuation(s) for charging text)								
		Count No.	Offense	Offense in Violation Of G.S.	Offense Code			
Race W	Sex F	Date Of Birth 05/07/1997	Age 26	1	F - SEXUAL ACTIVITY WITH A STUDENT	14-27.32(B)	1156	
Name Of Defendant's Employer		2	F - SEXUAL ACTIVITY WITH A STUDENT	14-27.32(B)	1156			
Date Of Offense 10/18/2023		3	F - SEXUAL ACTIVITY WITH A STUDENT	14-27.32(B)	1156			
<input type="checkbox"/> Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan		4	F - SEXUAL ACTIVITY WITH A STUDENT	14-27.32(B)	1156			
Date Of Arrest & Check Digit No. (as shown on fingerprint card) 11/29/2023 NO PRNT LEA		5	F - SEXUAL ACTIVITY WITH A STUDENT	14-27.32(B)	1156			
Arresting Officer (name, address or department) Dillon Leach CHARLOTTE MECKLENBURG POLICE DEPARTMENT 601 East Trade St CHARLOTTE NC 28202 MECKLENBURG								
Witness Information <div style="background-color: black; width: 100px; height: 20px;"></div>								
<p>I, the undersigned, find that the defendant named above has been arrested without a warrant and the defendant's detention is justified because there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully, willfully, and feloniously did commit the offense(s) set forth above and on the attached AOC-CR-116 Continuation(s), which is (are) incorporated by reference.</p> <p>This act(s) was in violation of the law referred to in this Magistrate's Order. This Magistrate's Order is issued upon information furnished under oath by the arresting officer(s) shown. A copy of this Order has been delivered to the defendant.</p>								
Date Issued 11/30/2023	Name Of Issuing Official Christopher Terry	Signature 		<input type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge				
Location Of Court Mecklenburg Co. Courthouse, Courtroom 5170			Court Date 11/30/2023	Court Time 1:30 PM				
WAIVER OF PROBABLE CAUSE HEARING								
The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.								
Date Waived	Signature Of Defendant	Name Of Attorney			Signature Of Attorney			

STATE VERSUS	MECKLENBURG County	File No. 23CR470408-590
Name Of Defendant GABRIELA ALEXANDRA CARTAYA NEUFELD	NOTE: Use this page to set forth the charging text for each offense listed on the AOC-CR-116. G.S. 15A-924(a)(5).	
Date Of Issuance Of Magistrate's Order 11/30/2023		

OFFENSES (continued)

Count 1. Offense: F - SEXUAL ACTIVITY WITH A STUDENT

Charging Text For This Count
 On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did The suspect NEUFELD is the teacher, of the victim and engaged in vaginal intercourse or a sexual act with the victim [REDACTED] who is a current student at South Meck High School during or after the period when the student and person were present together in the same school but before the victim stops being a student. These events occurred at least 5 times since October 18th 2023..

Count 2. Offense: F - SEXUAL ACTIVITY WITH A STUDENT

Charging Text For This Count
 On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did The suspect NEUFELD is the teacher, of the victim and engaged in vaginal intercourse or a sexual act with the victim [REDACTED] who is a current student at South Meck High School during or after the period when the student and person were present together in the same school but before the victim stops being a student. These events occurred at least 5 times since October 18th 2023..

STATE VERSUS	MECKLENBURG County	File No. 23CR470408-590
Name Of Defendant GABRIELA ALEXANDRA CARTAYA NEUFELD	NOTE: Use this page to set forth the charging text for each offense listed on the AOC-CR-116. G.S. 15A-924(a)(5).	
Date Of Issuance Of Magistrate's Order 11/30/2023		

OFFENSES (continued)

Count 3. Offense: F - SEXUAL ACTIVITY WITH A STUDENT

Charging Text For This Count
 On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did The suspect NEUFELD is the teacher, of the victim and engaged in vaginal intercourse or a sexual act with the victim [REDACTED] who is a current student at South Meck High School during or after the period when the student and person were present together in the same school but before the victim stops being a student. These events occurred at least 5 times since October 18th 2023..

Count 4. Offense: F - SEXUAL ACTIVITY WITH A STUDENT

Charging Text For This Count
 On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did The suspect NEUFELD is the teacher, of the victim and engaged in vaginal intercourse or a sexual act with the victim [REDACTED] who is a current student at South Meck High School during or after the period when the student and person were present together in the same school but before the victim stops being a student. These events occurred at least 5 times since October 18th 2023..

STATE VERSUS	MECKLENBURG County	File No. 23CR470408-590
Name Of Defendant GABRIELA ALEXANDRA CARTAYA NEUFELD	NOTE: Use this page to set forth the charging text for each offense listed on the AOC-CR-116. G.S. 15A-924(a)(5).	
Date Of Issuance Of Magistrate's Order 11/30/2023		

OFFENSES (continued)

Count 5. Offense: F - SEXUAL ACTIVITY WITH A STUDENT

Charging Text For This Count
 On or about the date of offense shown and in the county named above the defendant unlawfully, willfully, and feloniously did The suspect NEUFELD is the teacher, of the victim and engaged in vaginal intercourse or a sexual act with the victim [REDACTED] who is a current student at South Meck High School during or after the period when the student and person were present together in the same school but before the victim stops being a student. These events occurred at least 5 times since October 18th 2023..

Count 6. Offense:

Charging Text For This Count

STATE VERSUS

MECKLENBURG County

File No.

23CR470408-590

Name Of Defendant

GABRIELA ALEXANDRA CARTAYA NEUFELD

Date Of Issuance Of Magistrate's Order

11/30/2023

NOTE: Use this page to set forth the charging text for each offense listed on the AOC-CR-116. G.S. 15A-924(a)(5).

OFFENSES (continued)

Count 7. Offense:

Charging Text For This Count

Count 8. Offense:

Charging Text For This Count

STATE VERSUS

MECKLENBURG County

File No.

23CR470408-590

Name Of Defendant

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OFFENSES (continued)

Count 9. Offense:

Charging Text For This Count

Count 10. Offense:

Charging Text For This Count

STATE VERSUS

MECKLENBURG County

File No.

23CR470408-590

Name Of Defendant

GABRIELA ALEXANDRA CARTAYA NEUFELD

NOTE: Use this page to enter judgment on a Magistrate's Order. Use this Judgment page only if imposing a single, consolidated judgment for all offenses of conviction charged under this file number. Do not use this Judgment page to impose sentence: (i) if imposing separate judgments for separate offenses of conviction charged under this file number; (ii) to impose supervised probation; or (iii) for DWI sentences under G.S. 20-179. For DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). For structured sentencing offenses, use AOC-CR-602 (active) or AOC-CR-604 (probation).

Date Of Issuance Of Magistrate's Order

11/30/2023

JUDGMENT

District Attorney

Def. Waived Attorney, Def. Found Not Indigent, Def. Denied Appointed Counsel

Attorney For Defendant

Appointed, Retained

PRIOR CONVICTIONS:

No./Level: 0 I (0) II (1-4) III (5+)

OFFENSES: The following offenses, which are set forth by Count No. in the Magistrate's Order issued in this case on the date noted above for the defendant named above, are the subject of this Judgment:

- Count 1 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 2 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 3 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 4 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 5 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 6 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 7 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 8 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 9 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3
Count 10 PLEA: guilty not guilty no contest VERDICT: guilty not guilty M.CL.: A1 1 2 3

(Over)

Name Of Defendant
GABRIELA ALEXANDRA CARTAYA NEUFELD

***NOTE:** Use this Judgment page only if imposing a **single**, consolidated judgment for all offenses of conviction charged under this file number. Do **not** use this Judgment page to impose sentence: (i) if imposing separate judgments for separate offenses of conviction charged under this file number; (ii) to impose supervised probation; or (iii) for DWI sentences under G.S. 20-179. For DWI, use AOC-CR-342 (active) or AOC-CR-310 (probation). For structured sentencing offenses, use AOC-CR-602 (active) or AOC-CR-604 (probation).

JUDGMENT (continued)

JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea(s) on Side One. On the verdict(s) from Side One, it is **ORDERED** that all offenses of conviction, if more than one, be consolidated for judgment with Count No. _____ (list count of lead offense) and that the defendant:

pay the following fine/penalty and costs:

Amount Of Fine/Penalty	Costs
\$ _____	\$ _____

- be imprisoned for a term of _____ days in custody of the sheriff. MCP. DAC.* Pretrial credit _____ days served.
- Work release is recommended. is not recommended. (**NOTE:** To order work release, use form AOC-CR-602 to impose judgment.)
- The Court finds that a longer shorter period of probation than that which is specified in G.S. 15A-1343.2(d) is necessary.
- Execution of the sentence is suspended and the defendant is placed on unsupervised probation* for _____ months, subject to the following conditions:
1. commit no criminal offense in any jurisdiction.
 2. possess no firearm, explosive or other deadly weapon listed in G.S. 14-269.
 3. remain gainfully and suitably employed, or faithfully pursue a course of study or of vocational training that will equip the defendant for suitable employment and abide by all rules of the institution.
 4. satisfy child support and family obligations, as required by the Court.
 5. Submit to the taking of digitized photographs, including photographs of the defendant's face, scars, marks, and tattoos, to be included in the defendant's records.
 6. pay to the Clerk the costs of court and any additional sums shown below.

Costs	Fine	Restitution**	Attorney's Fee	Community Service Fee	Other	Total Amount Due
\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution: (NOTE TO CLERK:** Record SSN or Tax ID No. of aggrieved party(ies) on AOC-CR-382, "Certification Of Identity (Victims' Restitution)/ Certification Of Identity (Witness Attendance).")

7. complete _____ hours of community service during the first _____ days of probation, as directed by the judicial services coordinator, and pay the fee prescribed by G.S. 143B-1483 within _____ days.
8. not be found in or on the premises of the complainant or _____.
9. not assault, communicate with or be in the presence of the complainant or _____.
10. provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319 required)
11. Other: _____

The Court finds just cause to waive costs as ordered on attached AOC-CR-415. AOC-CR-618. Other: _____.

It is **ORDERED** that this: Judgment is continued upon payment of costs.
 case be consolidated for judgment with _____.
 sentence is to run at the expiration of the sentence in _____.

COMMITMENT: It is **ORDERED** that the Clerk deliver two certified copies of this Judgment and Commitment to the sheriff and that the sheriff cause the defendant to be retained in custody to serve the sentence imposed or until the defendant shall have complied with the conditions of release pending appeal.

PROBABLE CAUSE: Probable cause is found as to all Counts except _____, and the defendant is bound over to Superior Court for action by the grand jury.
 No probable cause is found as to Count(s) _____ of this Magistrate's Order and the Count(s) is dismissed.

Date	Name Of District Court Judge Or Magistrate (type or print)	Signature Of District Court Judge Or Magistrate
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APPEAL ENTRIES

The defendant, in open court, gives notice of appeal to the District Superior Court.

The current pretrial release order is modified as follows: _____

Date	Name Of District Court Judge Or Magistrate (type or print)	Signature Of District Court Judge Or Magistrate
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CERTIFICATION

I certify that this Judgment is a true and complete copy of the original which is on file in this case.	Date	Date Delivered To Sheriff	Signature	<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> Clerk Of Superior Court
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