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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA26-81

Filed 21 October 2026

Moore County, Nos. 23CR000833-620, 23CR000834-620

STATE OF NORTH CAROLINA

v.

STEVE KOARON-KALLIO HANCOCK, Defendant.

Appeal by defendant from judgment entered 28 May 2025 by Judge Michael A. Stone in Moore County Superior Court. Heard in the Court of Appeals 15 September 2026.

Attorney General Jeff Jackson, by Assistant Attorney General Megan Shook, for the State.

Joseph E. Gerber, for defendant-appellant.

FLOOD, Judge.

Defendant Steve Koaron-Kallio Hancock appeals from the trial court's order revoking his probation. On appeal, Defendant argues that the trial court erred by failing to make a finding of good cause to support overruling his objection based on his confrontation rights under N.C.G.S. § 15A-1345(e) and by revoking his probation because the State failed to prove that he constructively possessed a firearm. After

careful review, we conclude the Record lacks an indication that the trial court exercised its discretion in denying Defendant the opportunity to cross-examine an absent witness after he objected to testimony on statutory confrontation rights. As such, we are unable to determine if the trial court abused its discretion and therefore remand to the trial court for additional findings of fact in accordance with N.C.G.S. § 15A-1345(e). Since we remand for additional findings of fact, we do not reach Defendant's argument that the trial court abused its discretion by finding he willfully violated his probation and revoking his probation.

I. Factual and Procedural Background

On 19 August 2024, Defendant entered an *Alford* plea to two counts of common law robbery and was sentenced to thirteen to twenty-five months' imprisonment, suspended for twenty-four months of supervised probation. Less than a year later, on 20 March 2025, Probation Officer Sarah Mabe¹ filed a report alleging that Defendant willfully violated his probation by possessing a stolen firearm and committing a new criminal offense—namely, possession of a firearm by a felon.

This matter came on for hearing on 28 May 2025. At the hearing, Officer Mabe testified that, before Defendant violated the conditions of his probation, Defendant had told her that he was living with his grandfather in his grandfather's one-bedroom apartment. Defendant also told her that he slept on the couch, his grandfather slept

¹ We note the transcript lists the officer's name as Sarah Mave instead of her proper name, Sarah Mabe.

STATE V. HANCOCK

Opinion of the Court

in the only bedroom, and Defendant's sister sometimes stayed there.

Officer Mabe further testified that, in August or September of 2024, she and Probation Officer Young, Defendant's previous probation officer, went to Defendant's grandfather's apartment to conduct an initial home visit. During the initial home visit, Officer Mabe spoke to Defendant's grandfather, who told her that he stayed in the bedroom and Defendant stayed in the common area. At this point in Officer Mabe's testimony, defense counsel objected based on Defendant's statutory confrontation rights under N.C.G.S. § 15A-1345. The following colloquy took place:

[Defense Counsel]: Judge, I'm going to object under statutory confrontation grounds as to what the grandfather said and under [N.C.G.S. §] 15A-1345, there's a statutory right that probationers have to confront and cross-examine adverse witnesses against them. So, to the extent [Officer Mabe's] going to testify about what his grandfather said, that runs afoul of his statutory confrontation.

THE COURT: You're going to have a chance to cross-examine this witness. You understand that the rules of evidence are not binding in these proceedings.

[Defense Counsel]: And I'm not making an objection under rules of evidence, but there's a Section 15A-1345 that gives a probationer a right to cross-examine and confront adverse witnesses in violation hearings.

THE COURT: You're going to get that chance in just a minute.

[Defense Counsel]: But if she's going to testify about what grandfather said, I can't cross-examination grandfather[.]

THE COURT: Your objection is noted. It's overruled. You may re[-]ask the question.

STATE V. HANCOCK

Opinion of the Court

Defendant's counsel did not ask for the trial court to make a good cause finding of the objection and did not ask that Defendant's grandfather be called to testify.

Officer Mabe continued testifying, explaining that she had conducted another home visit and search of the apartment on 20 March 2025. When Officer Mabe arrived, Defendant was walking down the hallway as if leaving the building, and his sister was walking out the door of the apartment. Defendant consented to a search of the apartment. During the search, Officer Mabe located a "purple" Taurus handgun under the couch cushions. Officer Mabe asked Defendant why he had the firearm, but Defendant claimed it was not his.

Based on the testimony of Officer Mabe, the trial court found that there was sufficient evidence to support revocation of Defendant's probation. The trial court subsequently entered an order revoking Defendant's probation, activating his suspended sentence, and modifying Defendant's sentence to a term of ten to twenty-one months' imprisonment. Defendant timely appealed.

II. Jurisdiction

This Court has jurisdiction to review a final judgment of a superior court pursuant to N.C.G.S. § 7A-27(b)(1) (2025).

III. Discussion

On appeal, Defendant argues that the trial court erred by failing to find good cause for denying Defendant's right to confront witnesses against him as afforded by

STATE V. HANCOCK

Opinion of the Court

N.C.G.S. § 15A-1345(e) and abused its discretion by revoking his probation because the State failed to prove that Defendant constructively possessed the firearm.

“A proceeding to revoke probation is not a criminal prosecution.” *State v. Singletary*, 290 N.C. App. 540, 548 (2023) (quoting *State v. Duncan*, 270 N.C. 241, 245 (1967)). Accordingly, a defendant facing a probation revocation hearing does not have the same Sixth Amendment rights of confrontation as a criminal defendant. *State v. McCullough*, 297 N.C. App. 183, 188 (2024). Instead, N.C.G.S. § 15A-1345(e) “is a codification of the probationer’s right to due process under the Fourteenth Amendment and controls the probationer’s right to confrontation in a probation revocation hearing.” *Singletary*, 290 N.C. App. at 548 (citation and internal quotation marks omitted). Relevant here, N.C.G.S. § 15A-1345(e) provides that “[a]t the [revocation] hearing, evidence against the probationer must be disclosed to him, and the probationer may . . . confront and cross-examine adverse witnesses unless the court finds good cause for not allowing confrontation.” N.C.G.S. § 15A-1345(e) (2025). “The court may use its discretion to determine if good cause exists for denying confrontation.” *McCullough*, 297 N.C. App. at 188.

In *State v. Jones*, our Supreme Court clarified that the statutory mandate in N.C.G.S. § 15A-1345(e) “is conditioned upon some attempt by the defendant to confront or cross-examine a witness.” 382 N.C. 267, 275 (2022). In *Jones*, the defendant argued on appeal that the trial court denied him the opportunity to confront the arresting officer at his probation violation hearing. *Id.* at 272. Our

Supreme Court disagreed, holding that the defendant failed to preserve the issue for appeal because, although the defendant objected to the State’s use of exhibits as evidence, the defendant “failed to signal to the trial court that an inability to confront [the officer] was the disputed issue.” *Id.* at 274. Moreover, the “defendant never attempted to call [the arresting officer] to the stand, subpoena him, or ask that he be placed on standby[.]” *Id.* Our Supreme Court also rejected the defendant’s argument that, “where a probationer is not permitted to confront or cross-examine adverse witnesses during a probation violation hearing, confrontation arguments are automatically preserved for appellate review.” *Id.* at 275. Rather, our Supreme Court reviewed the record for any evidence indicating whether the defendant requested the arresting officer to testify or that the trial court acted in such a way that prevented the defendant from requesting that the arresting officer testify. *Id.* at 276. After concluding the record was devoid of any such evidence, the Court concluded that, “[a]bsent confrontation-related requests or objections by [the] defendant, the condition requiring a finding of good cause has not been satisfied.” *Id.* at 277.²

In *State v. Hemingway*, this Court remanded the trial court’s order revoking the defendant’s probation for reconsideration of the good cause issue because the trial

² Although not considered controlling legal authority, we recognize that, in *State v. Hill*, 293 N.C. App. 827 (2024) (unpublished), this Court rejected the defendant’s argument that, according to *Jones*, the trial court must make a “good cause” finding whenever a defendant makes confrontation-related requests or objections. Instead, as this Court reasoned, “*Jones* stands for the proposition that confrontation-related requests or objections are necessary *but not necessarily sufficient to satisfy the condition requiring a finding of good cause.*” *Id.* (emphasis added).

STATE V. HANCOCK

Opinion of the Court

court failed to exercise its discretion in determining whether good cause existed for denying the defendant the right to confront a witness. 278 N.C. App. 538, 549 (2021). At the defendant's probation revocation hearing, defense counsel objected to an officer's testimony that contained hearsay, stating, *inter alia*, that the State was soliciting hearsay evidence that would deny the defendant the right to confront his accuser—a paid informant. *Id.* The trial court overruled the defendant's objection, and the officer continued testifying. *Id.* at 550. Defense counsel objected, and the following colloquy took place:

THE STATE: Okay. And was that what was the agreed-upon transaction between the paid informant and the target, [the d]efendant?

[THE WITNESS:] Yes, ma'am.

DEFENSE COUNSEL: Objection. That's hearsay.

THE COURT: Hearsay is admissible. Overruled.

DEFENSE COUNSEL: By the confrontation, Your Honor; we don't have this [paid informant] here to confront.

THE COURT: *State v. Murchison*. Again, understanding the nature of these proceedings, the trial court overrules the objection.

Id. at 550–51 (citation modified). The defendant's objections sufficiently triggered the condition requiring a finding of good cause under N.C.G.S. § 15A-1345(e). *See id.* at 551. The trial court's denial of the objection based on "the nature of these proceedings[.]" however, was an indication that the trial court did not exercise its discretion. *Id.* Thus, we remanded the case to the trial court for the trial court to

STATE V. HANCOCK

Opinion of the Court

determine whether good cause existed for not allowing the defendant to confront and cross-examine the paid informant. *Id.* at 552.

Although neither party in the instant case cites to *Hemingway*, we find *Hemingway* instructive. Similar to the defendant in *Hemingway*, Defendant in the instant case objected to Officer Mabe's testimony regarding statements Defendant's grandfather made to her based upon N.C.G.S. § 15A-1345(e). *See id.* at 550. Although not explicitly stating his request to confront Defendant's grandfather, Defendant's objection "signal[ed] to the trial court that an inability to confront [his grandfather] was the disputed issue." *See Jones*, 382 N.C. at 274. Thus, Defendant's objection sufficiently triggered the condition requiring a finding of good cause. *See Hemingway*, 278 N.C. App. at 551.

The trial court, however, did not make any findings, express or implied, as to whether good cause existed to not allow Defendant to confront another adverse witness. Rather, similar to the trial court in *Hemingway*, the trial court here responded, "[y]ou're going to have a chance to cross-examine this witness. You understand that the rules of evidence are not binding in these proceedings." This statement indicates that the trial court did not exercise its discretion as to whether good cause existed to deny Defendant's objection. *See id.* Thus, based on the Record before us, we cannot determine whether the trial court abused its discretion by allowing the hearing to proceed without allowing Defendant to confront an adverse witness. As such, we remand to the trial court to determine whether good cause

existed to disallow Defendant from confronting his grandfather, in accordance with N.C.G.S. § 1345(e). Moreover, because we remand for additional findings of whether good cause exists to disallow Defendant from confronting his grandfather, we need not address Defendant's argument that the trial court abused its discretion by finding that he willfully violated his probation and thus revoking his probation.

IV. Conclusion

Upon careful review, we conclude that the trial court failed to exercise its discretion when it failed to make any findings related to good cause after Defendant objected to Officer Mabe's testimony based on N.C.G.S. § 1345(e). Therefore, we remand for further proceedings and need not address Defendant's remaining argument as to whether the trial court erred in revoking his probation.

REMANDED.

Judges ZACHARY and FREEMAN concur.

Report per Rule 30(e).