

**Drug Trafficking (G.S. 90-95(h)).** A person convicted of the drug trafficking crimes set out below must be sentenced to the following minimum and maximum sentences, including mandatory fines, regardless of his or her prior record level. Sentences for trafficking offenses must run consecutively with any other sentences being served by the defendant. However, when trafficking offenses are disposed of at the same time, the court may impose concurrent sentences. State v. Walston, 193 N.C. App. 134 (2008).

**MINIMUM-MAXIMUM SENTENCES, BY OFFENSE CLASS**

<b>Class</b>	<b>Minimum</b>	<b>Maximum</b>
Class C	225 months	279
Class D	175	219
Class E	90	117
Class F	70	84
Class G	35	42
Class H	25	30

<b>Drug</b>	<b>Amount</b>	<b>Class</b>	<b>Fine (not less than)</b>
Marijuana	10-49 lbs.	Class H	\$5,000
	50-1,999	Class G	\$25,000
	2,000-9,999	Class F	\$50,000
	10,000 or more	Class D	\$200,000
Methaqualone	1,000-4,999 units	Class G	\$25,000
	5,000-9,999	Class F	\$50,000
	10,000 or more	Class D	\$200,000
Cocaine	28-199 grams	Class G	\$50,000
	200-399	Class F	\$100,000
	400 or more	Class D	\$250,000
Methamphetamine	28-199 grams	Class F	\$50,000
	200-399	Class E	\$100,000
	400 or more	Class C	\$250,000
Amphetamine	28-199 grams	Class H	\$5,000
	200-399	Class G	\$25,000
	400 or more	Class E	\$100,000
Opium or Heroin	4-13 grams	Class F	\$50,000
	14-27	Class E	\$100,000
	28 or more	Class C	\$500,000
LSD	100-499 units	Class G	\$25,000
	500-999	Class F	\$50,000
	1,000 or more	Class D	\$200,000
MDA/MDMA	100-499 units/28-199 grams	Class G	\$25,000
	500-999 units/200-399 grams	Class F	\$50,000
	1,000 units/400 grams, or more	Class D	\$250,000

*Substantial assistance.* The judge sentencing a defendant for trafficking may reduce the fine, or impose a prison term less than the applicable minimum, or suspend the prison term and place the defendant on probation when the defendant has provided substantial assistance in the identification, arrest, or conviction of any accomplices, accessories, co-conspirators, or principals, if the sentencing judge enters in the record a finding that the defendant has rendered such substantial assistance. G.S. 90-95(h)(5). When substantial assistance applies, the court may select a minimum sentence of its choosing; it is not bound by the regular sentencing grid. *State v. Saunders*, 131 N.C. App. 551.

*Conspiracy to commit trafficking.* Conspiracies to commit trafficking offenses are punishable the same as the target offense. G.S. 90-95(i).

*Attempted trafficking.* Attempts to commit trafficking are the same offense class as the target offense, but they are sentenced under the ordinary felony punishment chart, not the special mandatory minimums for completed trafficking offenses. G.S. 90-98.