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IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA25-653

Filed 4 November 2026

Guilford County, Nos. 18CR075426-400, 18CR075428-400, 18CR075430-400, 18CR075045-400, 18CR075425-400

STATE OF NORTH CAROLINA

v.

JONYLE LAQUAN RIDDICK, Defendant.

Appeal by defendant from judgment entered 15 December 2023 by Judge Tonia A. Cutchin in Superior Court, Guilford County. Heard in the Court of Appeals 19 May 2026.

Attorney General Jeff Jackson, by Special Deputy Attorney General Arneatha James, for the State.

Appellate Defender Glenn Gerding, by Assistant Appellate Defender Aaron Thomas Johnson, for defendant-appellant.

STROUD, Judge.

Defendant appeals from the trial court's judgments, contending that the trial court erred in denying his two motions to suppress a recording of his conversation with a police officer. Defendant makes two arguments on appeal. Defendant claims that the trial court's findings of fact were insufficient to support both its conclusions

that (1) Defendant's written *Miranda* waiver was valid and (2) Defendant's statements to the officer were voluntary.

We hold that the trial court did not err when it denied Defendant's motions to suppress the recording, as the trial court's findings of fact supported its conclusions that Defendant's *Miranda* waiver was valid and that his statements to the officer were voluntary.

I. Factual and Procedural Background

Evidence at trial tended to show that on 18 May 2018, at Terry Hooks's home, a shooting occurred between Defendant and Mr. Hooks. In the crossfire, Defendant shot Pamela Hooks, while Mr. Hooks shot Defendant. Mrs. Hooks's wounds from the shooting were fatal.

Following the shooting, Defendant fled out the back door of the home, where a police officer discovered Defendant lying on the ground, bleeding from a gunshot wound to the chest. Shortly thereafter, EMS arrived on the scene and transported Defendant to a hospital where he received medical treatment. The remaining details of the shooting are not at issue on appeal and are excluded from this opinion.[1]

On 20 August 2018, a grand jury indicted Defendant on the following felony counts: robbery with a dangerous weapon, assault with deadly weapon with intent to

[1] Both the briefs for the State and Defendant delve deeper into the circumstances of the shooting, as they both address whether a *Miranda* violation or involuntary confession amounted to harmless error. Since there is no need to address harmless error in this opinion, we have not included a detailed summary of these facts about the shooting.

kill, possession of a firearm by a felon, conspiracy, first-degree burglary, first-degree kidnapping, and first-degree murder. On 10 November 2021, following proceedings in Defendant's first trial, jury deliberations were "deadlocked 8 to 4," resulting in a mistrial. The same charges were brought for a second trial occurring in December 2023.

On 22 November 2023, Defendant filed two motions to suppress statements that Defendant made to Detective Brown while in the hospital. The first motion claimed that exclusion of the statements was "required by Miranda v. Arizona, 384 U.S. 486 (1966), the Constitution of the United States of America (5th and 14th Amendment) and the Constitution of North Carolina." And that "any alleged waiver of Miranda warnings were not knowing and voluntary." The second motion claimed that exclusion was "required by the Due Process Clause of the Constitution of the United States of America and the Constitution of North Carolina." Defendant also contended that during his conversation with Detective Brown, "Defendant was in no condition to give a knowing and voluntarily statement about what happened on May 18th."

On 4 December 2023, before the start of the second jury trial, the trial court heard the motions to suppress.[2] Detective Steve Brown testified, and the trial court

[2] The transcript of the hearing on the motion to suppress is dated 4 December 2023, and this same date is in the header of the pages from 1-22; from page 23 on to the end of the volume, the header states the date of 14 January 2019. We believe this is a typographical error; there is no dispute

listened to State's Motion Exhibit 1, the recording of Detective Brown's interview with Defendant.[3] The trial court entered an oral order denying Defendant's motions to suppress, stating its ruling on the motions on the record and giving findings of fact and conclusions of law.

In its oral order denying the motions to suppress before trial, the trial court made findings of fact regarding the interview with Defendant:

> [O]n or about [18] May [] 2018, that law enforcement dispatched to [the victim's residence] in response to a 911 call for a shooting; that at the scene Pamela Hooks was found bleeding from her torso and later pronounced dead. Multiple shell casings were also recovered from the scene.
>
> In addition, []Defendant was also found bleeding to his lower body and torso, lying in the yard and was later transported to Moses Cone Hospital and remained. Defendant was sedated and treated at the hospital and also did encounter surgery; that on or about [22] May [] 2018, Detective Steve Brown who is now retired but as of [18] May [] 2018, was a homicide detective employed by the Greensboro Police Department, that Detective Brown began his career in patrol and then assigned to the DEA task force, also investigated property crimes prior to becoming a homicide detective, that Detective Brown is a drug recognition expert, and responded to Moses Cone Hospital on [22] May [] 2018, where he did encounter []Defendant around 4 o'clock p.m.
>
> []Defendant was located in a room alone where there was

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regarding the date of the hearing. But since Defendant filed many volumes of transcripts from 2018, 2019, 2020, 2021, and 2022 that are not relevant to this appeal, the incorrect date is perhaps of more concern than it would normally be.

[3] A redacted version of the recording was later introduced at trial as State's Exhibit 117. State's Motion Exhibit 1 was not provided to this Court.

> medical equipment that assisted []Defendant. Detective Brown did speak to Nurse Theilen, who advised that she had provided the Defendant medication but it would not prevent Detective Brown from speaking to []Defendant.
>
> Detective Brown had introduced himself and advised that he wanted to discuss the incident that arose on [18] May 2018, at [the victim's residence].
>
> []Defendant asked Detective Brown if he was the head detective investigating this incident and had he had any contact with his family. Detective Brown advised that he was the lead detective and asked if [Defendant] was impaired and (inaudible) a recording that was introduced as State's Exhibit -- or Motion Exhibit 1.
>
> Detective Brown did read [Defendant] his Miranda rights, and [Defendant] did advise Detective Brown that he would speak. However, during that initial conversation Detective Brown asked [Defendant] if he was impaired for a scale of 1 to 10 with 1 being not impaired, 10 being impaired. [Defendant] advised that he would place himself at a 5 or 6 but that he was good to talk.
>
> [Defendant] did receive his GED and was able to read and write. [Defendant] did acknowledge the Miranda and then execute a signature indicating that he understood and was willing to speak to Detective Brown.
>
> The interview did last one hour and sixteen minutes. During the interview, [Defendant] maintained contact with Detective Brown indicated he understood his rights and did sign a waiver. [Defendant] was not intimidated and he didn't have to promise him anything to gain his consent and was advised he was free to withdraw his consent at any time. [Defendant] chose not to do so.

The trial court concluded as follows:

> And considering the totality of circumstances and based upon these findings, the Court will conclude by a

> preponderance of the evidence there is no cognitive evidence to support the finding that [Defendant] did not freely, voluntarily, and knowingly waive his Miranda rights as well as his right to counsel, and also considering the totality of the circumstances based upon the preponderance of the evidence the Court will further conclude there was no competent evidence to support that [Defendant] did not consent to speak with [Detective] Brown and based upon that this Court will deny the motions filed November 22nd, 2023, to suppress statements obtained in violation of due process as well as obtained in violation of Miranda.

During the trial, Defendant objected to introduction of State's Exhibit 117, the redacted version of the recording of the interview; the trial court overruled Defendant's objection.

On 14 December 2023, the jury found Defendant guilty of attempted robbery with a firearm, possession of firearm by felon, felony conspiracy, first-degree burglary, and first-degree murder under the felony murder rule based on attempted robbery with a firearm and first-degree burglary. The jury found Defendant not guilty of assault with a deadly weapon with intent to kill and first-degree kidnapping. On 18 December 2023, Defendant entered written notice of appeal.

II. Analysis

Defendant makes two arguments on appeal: "neither the evidence presented at the suppression hearing, nor the trial court's finding of fact, were sufficient to support conclusions that [Defendant] effected a valid waiver of his *Miranda* rights,

or that his statement was otherwise voluntary."[4]

Defendant timely filed his motions to suppress and objected to the admission of Exhibit 117[5] at trial; as a result, his argument is preserved for appellate review. *See* N.C. R. App. P. 10(a)(1).

A. Standard of Review

"We evaluate a trial court's denial of a motion to suppress evidence to determine whether competent evidence supports the trial court's findings of fact and whether the findings of fact support the conclusions of law." *State v. Johnson*, 371 N.C. 870, 873, 821 S.E.2d 822, 826 (2018) (citations and quotation marks omitted); *see State v. Brown*, 204 N.C. App. 567, 569, 694 S.E.2d 467, 468 (2010) ("This standard applies even where the motion to suppress is based on alleged violations of constitutional rights such as those afforded by *Miranda*." (citation omitted)). Where findings of fact "are supported by competent evidence, they are conclusive on appeal, even if the evidence is conflicting." *Id.* (citation and quotation marks omitted). On the other hand, "[t]he trial court's conclusions of law are subject to *de novo* review." *State v. Allen*, 197 N.C. App. 208, 210, 676 S.E.2d 519, 521 (2009) (citation omitted); *see Johnson*, 371 N.C. at 873, 821 S.E.2d at 826 ("Conclusions of law . . . are fully

[4] Defendant also argues that "the State cannot show that this error was harmless beyond a reasonable doubt." We do not reach this issue because there were sufficient findings to support the trial court's conclusion that Defendant's *Miranda* waiver was valid and that his statements were voluntary.

[5] State's Exhibit 117 is identified as the redacted version of State's Exhibit 1, the subject of the suppression motion.

reviewable on appeal and must be legally correct, reflecting a correct application of applicable legal principles to the facts found." (citation and quotation marks omitted)). But "[a] trial court's ruling on a motion to suppress is afforded great deference upon appellate review as it has the duty to hear testimony and weigh the evidence." *State v. Cobb*, 381 N.C. 161, 164, 872 S.E.2d 21, 25 (2022) (citation omitted).

Defendant does not directly challenge any of the trial court's findings of fact as unsupported by the evidence. But much of Defendant's brief focuses on his interpretation of the evidence, often going beyond the findings of fact by the trial court and arguing his favored interpretation of the evidence. For example, he argues that Detective Brown failed to speak to Defendant's doctors or to learn what medications Defendant was taking, characterizing his investigation of Defendant's condition as inadequate. Since Defendant does not challenge the trial court's finding as unsupported by the evidence, we only review the court's conclusions of law. We therefore review the trial court's denial of both motions to suppress to determine whether "the findings of fact support the [trial court's] conclusions of law." *Johnson*, 371 N.C. at 873, 821 S.E.2d at 826 (citation omitted).

B. Defendant's Motions to Suppress

Defendant presents two separate issues on appeal—not a singular voluntariness inquiry. A defendant's valid *Miranda* waiver does not imply that his statements to police were voluntary, nor do voluntary statements to police imply a

valid *Miranda* waiver. *See id.* at 873–74, 821 S.E.2d at 826 ("Compliance with *Miranda* is a threshold requirement for admissibility of such statements when made as a result of custodial interrogation and does not abrogate the need for confessions to be obtained in compliance with traditional notions of due process under both the federal and state constitutions." (citation omitted)). Put differently, "even when a defendant's *Miranda* rights are respected, and even when those rights are voluntarily, knowingly, and intelligently waived, the confession itself must also be voluntary under traditional notions of due process." *Id.* at 874, 821 S.E.2d at 826.

These separate inquiries do overlap, as a defendant's valid *Miranda* waiver is "a factor to be considered when evaluating voluntariness in light of the totality of the circumstances under which the statement was given." *Id.* And, ultimately, both "analyses will require the Court to examine interrelated and overlapping facts." *Id.* at 874–75, 821 S.E.2d at 826. But neither inquiry can replace the other. *Id.* at 875, 821 S.E.2d at 826.

Thus, we individually address both issues Defendant presents here: whether (1) Defendant's *Miranda* waiver was valid, and whether (2) Defendant's statements were voluntary.

1. Miranda Waiver

Our Supreme Court, and the United States Supreme Court, have clearly laid out the protections afforded by the Fifth Amendment and *Miranda v. Arizona*:

> The Fifth Amendment, which applies to the states through the Fourteenth Amendment provides that no person "shall be compelled in any criminal case to be a witness against himself[.]" To protect this right, the Supreme Court of the United States has formulated a set of prophylactic warnings that criminal suspects must receive for any custodial statements that they make to be admissible in court.

State v. Knight, 369 N.C. 640, 643, 799 S.E.2d 603, 606 (2017) (citing *Miranda v. Arizona*, 384 U.S. 436, 478–79, 86 S.Ct. 1602 (1966)) (other citations omitted). These "prophylactic warnings" are well-known and have remained unchanged over the course of their existence. *See id.* (citation omitted); *see also Berghuis v. Thompkins*, 560 U.S. 370, 380, 130 S. Ct. 2250, 2259 (2010) ("A suspect in custody must be advised as follows: '[h]e must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires.' " (citation omitted)). If a police officer fails to provide these *Miranda* warnings before a custodial interrogation of a defendant or otherwise fails to respect the defendant's invocation of the warnings, then the defendant's statements to the officer are inadmissible at trial. *See Knight*, 369 N.C. at 643, 799 S.E.2d at 606.

While *Miranda* rights are well established, a defendant may waive his *Miranda* rights "as long as he waives them voluntarily, knowingly, and intelligently."

Id. at 643, 799 S.E.2d at 606 (citation omitted). Whether a *Miranda* waiver was "voluntar[y], knowin[g], and intelligent[]" rests on two inquiries:

> First, a court must determine whether the waiver was *voluntary* in the sense that it was the product of a free and deliberate choice rather than intimidation, coercion, or deception. Second, a court must determine that the waiver was *knowing and intelligent*—that is, that it was made with a full awareness of both the nature of the right being abandoned and the consequences of the decision to abandon it.

Id. at 644, 799 S.E.2d at 606 (emphasis added) (citation and quotation marks omitted). A defendant's *Miranda* waiver may be express or implied. *Id.* Where the defendant makes "[a]n express written or oral statement of waiver," there is "usually strong proof of the validity of that waiver, but [it] is not . . . necessary or sufficient to establish waiver." *Id.* (citation and quotation marks omitted). Ultimately, waiver is only proper "if the totality of the circumstances surrounding the defendant's interrogation show both that he adequately underst[ood] them and that he was not coerced into waiving them." *Id.* ("A court may properly conclude that a defendant has waived his *Miranda* rights only if the totality of the circumstances surrounding the defendant's interrogation show both that he adequately understands them and that he was not coerced into waiving them. Whether a defendant has knowingly and intelligently waived his *Miranda* rights therefore depends on the specific facts and circumstances of each case, including the [defendant's] background, experience, and conduct." (citation and quotation marks omitted)).

Here, Defendant argues that the trial court's findings of fact were insufficient to establish a valid *Miranda* waiver during his hospital interview with Detective Brown. In support of his argument, Defendant points to several issues with Detective Brown's interrogation of Defendant. First, during their conversation, Defendant was still hooked up to machines and sounded "raspy" following his intubation for surgery. Second, Detective Brown did not properly inquire into Defendant's medical status at the time of the interrogation: "Brown did not speak with [Defendant's] treating physician, or review [Defendant's] medical records, or even learn anything about what his medication history was leading up to the interview." Where Detective Brown did investigate Defendant's condition, Defendant argues, his inquiries were still insufficient to establish the voluntariness of Defendant's statements: only speaking with Defendant's nurse for "maybe a minute," not Defendant's doctor, failing to ascertain the nurse's qualifications, and lacking knowledge of whether the drugs might "kick in" during the interview. Defendant argues that since Detective Brown lacked a clear understanding of Defendant's condition and medication, the evidence does not support the trial court's conclusion that Defendant's waiver was voluntary.

We disagree. First, Defendant does not challenge the trial court's findings of fact as unsupported by the evidence, but his argument focuses heavily on the evidence. He essentially argues that the trial court should have made more, or different, findings of fact. For example, he claims that Detective Brown did not

inquire into Defendant's medical condition and Detective Brown only spoke with the nurse for "maybe a minute." As a result, Defendant contends that Detective Brown's efforts to determine Defendant's condition were insufficient, but the trial court found they were. The findings of fact address Detective Brown's inquiry to both the nurse and Defendant about his condition and their responses to his inquiry.[6] The trial court does not need to make evidentiary findings about each bit of evidence introduced. *State v. Escobar*, 187 N.C. App. 267, 268, 652 S.E.2d 694, 696 (2007) ("A trial court is not required to recite evidentiary facts in its findings of fact, but is required to make specific findings on the ultimate facts established by the evidence." (quotation marks omitted)).

The trial court's findings of fact were sufficient to support the trial court's conclusion that Defendant's *Miranda* waiver was valid. First, Defendant executed a written waiver of his *Miranda* rights. As noted in *Knight*, while not conclusive on the issue of valid waiver, a written waiver is "strong proof" of a valid *Miranda* waiver. *Knight*, 369 N.C. at 644, 799 S.E.2d at 606 (citation omitted). Second, contrary to Defendant's argument, Detective Brown did inquire about Defendant's mental condition. Detective Brown spoke with Defendant's nurse about his medication, and she told Detective Brown that the medication would not "prevent Detective Brown

[6] Since Defendant did not provide State's Motion Exhibit 1, the unredacted recording of the interview, to this Court, but only the *redacted* version admitted later at trial as State's Exhibit 117, we would be unable to review the trial court's findings at the suppression hearing regarding the interview itself.

from speaking to Defendant." Detective Brown also asked Defendant about his level of impairment "on a scale of 1 to 10." Defendant told Detective Brown that he was at a "5 or 6," but he also stated that he was "good to talk." Third, nothing in the trial court's findings suggests that Defendant was unwilling to speak with Detective Brown or in a state of impairment. In fact, Defendant "maintained contact with Detective Brown" throughout the one hour and sixteen-minute interview. Detective Brown told Defendant that he was "free to withdraw his consent at any time," but Defendant did not attempt to withdraw from the interview.

While Detective Brown did not know the exact details of Defendant's medical history or condition, the findings of fact, in totality, support the trial court's conclusion that Defendant "adequately underst[ood] [his *Miranda* rights] and that he was not coerced into waiving them." *See id.* (citation omitted). Both this Court and our Supreme Court have found similar findings of fact sufficient to support the trial court's conclusion of law, and we do not hold differently here. *See State v. Saldierna*, 371 N.C. 407, 423–24, 817 S.E.2d 174, 185 (2018) (finding voluntary waiver of *Miranda* rights by a Spanish and English speaking minor, where the police officer advised the defendant of her rights in both English and Spanish, the defendant signed a written waiver of rights, and she answered affirmatively when asked whether she understood her rights—despite some contested facts suggesting English was not her first language and certain rights were not intelligible); *see also State v. Phillips*, 365 N.C. 103, 115–16 , 711 S.E.2d 122, 134 (2011) (finding voluntary waiver

of *Miranda* rights where the defendant easily provided personal information, the officers did not observe signs of impairment, defendant requested a statement be excluded from the record, and the defendant was calm to begin the interview—despite the defendant being excited prior to the interview, wiping white foam from his mouth, and vomiting during his interview with the officers); *State v. Ortez*, 178 N.C. App. 236, 247–48, 631 S.E.2d 188, 197 (2006) (finding voluntary waiver of *Miranda* rights where the defendant was read *Miranda* warnings in Spanish, stated that he understood his rights, had previous experience with the criminal justice system, and the defendant appeared to understand the questions and gave reasonable and appropriate answers—despite also finding that defendant's IQ ranged from 55 to 77).

Therefore, the trial court's conclusion that Defendant's *Miranda* waiver was valid was supported by the findings of fact.

2. Due Process

Although we find that Defendant's *Miranda* waiver was valid, Defendant also contends that there were insufficient findings of fact to support the trial court's conclusion that his statements to Detective Brown were voluntary. As noted in *Johnson*, the voluntary statement inquiry is separate from the *Miranda* waiver inquiry. *See Johnson*, 371 N.C. at 874, 821 S.E.2d at 826 ("Whether the defendant's rights under *Miranda* and its progeny have been respected is a factor to be considered when assessing the overall voluntariness of a defendant's confession."). Even where

Defendant's *Miranda* waiver was valid, the statements themselves might have been involuntary. *See id.*

Like the *Miranda* waiver analysis, whether a defendant's statements to a police officer were voluntary depends on the "totality of the circumstances." *Id.* at 878, 821 S.E.2d at 829 (citation and quotation marks omitted). A defendant's statement is voluntary when it is "the product of an essentially free and unconstrained choice." *Id.* (citation omitted). On the other hand, a statement is involuntary, and offends due process, where the defendant's "will ha[d] been overborne and his capacity for self-determination critically impaired." *Id.*

In addition to a valid *Miranda* waiver, this Court considers several factors in determining whether a defendant's statements were voluntary:

> (1) circumstances under which the interrogation was conducted, for example the location, the presence or absence of restraints, and the suspect's opportunity to communicate with family or an attorney; (2) treatment of the suspect, for example the duration of the session or consecutive sessions, availability of food and drink, opportunity to take breaks or use restroom facilities, and the use of actual physical violence or psychologically strenuous interrogation tactics; (3) appearance and demeanor of the officers, for example whether they were uniformed, whether weapons were displayed, and whether they used raised voices or made shows of violence; (4) statements made by the officers, including threats or promises or attempts to coerce a confession through trickery or deception; and (5) characteristics of the defendant himself, including his age, mental condition, familiarity with the criminal justice system, and demeanor during questioning.

Id. at 878–79, 821 S.E.2d at 829 (citation omitted). No factor alone is dispositive. *See id.* And other factors outside of those listed may weigh on the inquiry, so long as they help show whether "defendant was truly capable of making . . . a free and rational decision." *Id.* at 879, 821 S.E.2d at 829.

Here, Defendant rests much of his argument on *State v. Williford*, 275 N.C. 575, 169 S.E.2d 851 (1969). There, the defendant also sought to suppress evidence of a conversation between the defendant and a police officer. *Id.* at 579, S.E.2d at 854. The trial court made the following findings of fact:

> The Court finds that Officer Jimmy A. Mohiser and Officer J. L. Denning were present together on [6] December [] 1966 in the bus on Fayetteville Street with the defendant Williford; that on the bus on Fayetteville Street Officer Mohiser advised the defendant Williford prior to asking him any questions and prior to any admission or statement having been made by the defendant Williford, that anything that the defendant Williford—strike that—that the defendant Williford had the right to remain silent and that anything the defendant Williford said could be used against him and that he further advised the defendant Williford that he had the right to consult with a lawyer and to have the lawyer with him during interrogation and further that he advised the defendant Williford that if he were unable to secure a lawyer by reason of indigency, that a lawyer would be appointed for him; that the Court further finds that Officers Mohiser and Denning were in the presence of the defendant Williford some 30 or 40 minutes later at Wake Memorial Hospital at which time the defendant Williford made certain statements and admissions to Officer J. L. Denning.

Id. at 581–82, 169 S.E.2d at 856. Based on these findings, the trial court found that the defendant's statements "were made voluntarily and with understanding." *Id.* at 582, 169 S.E.2d at 856 (quotation marks omitted).

This Court disagreed. *Id.* The issue, according to the *Williford* Court, was that there were "no findings of fact as to the immediate circumstances and conditions surrounding the making of the purported confession" and no "[f]indings of fact as to defendant's mental or physical condition," even though there was evidence about the circumstances of the confession and "voluminous evidence as to defendant's physical condition." *Id.* at 582, 169 S.E.2d at 856. The Court held that the trial court's findings were "not sufficient to support the conclusion that the statements made by the defendant [] to [the officer] . . . were made voluntarily and with understanding." *Id.* Ultimately, the Court held that the statements admitted were prejudicial; therefore, the case was remanded for a new trial. *Id.* at 582, 584, 169 S.E.2d at 857–58 (holding that the prejudicial statements were one of multiple errors requiring a new trial).

Defendant claims that the issues in *Williford* also exist here. Like the defendant in *Williford*, Defendant argues, there are not enough facts to support the trial court's conclusion because there were insufficient findings with respect to Defendant's medication at the time of the interview. That is, Detective Brown "did not determine what medications [Defendant had] been given, in what quantities, what the effects might be, or when they might take effect." Without this information,

the trial court lacked sufficient findings of fact to conclude that Defendant's statements were voluntary.

We disagree. In *Williford*, the trial court's findings of fact simply did not address the relevant circumstances to support a conclusion that the defendant's statements were voluntary. These facts included the following: the interview occurred on a bus, the officer read the defendant his *Miranda* warnings, and later the officers were with the defendant at a hospital for 30 or 40 minutes when the defendant made statements and omissions to the officers. *Id.* at 581–82, 169 S.E.2d at 856. These findings could not sustain a conclusion of voluntariness because there were *no findings* about "the immediate circumstances and conditions surrounding the making of the purported confession[,] [or] [f]indings of fact as to defendant's mental or physical condition." *Id.* at 582, 169 S.E.2d at 856. Due to these omissions, there were insufficient findings to support the trial court's conclusion of law. *See id.*

The findings of fact here are entirely different. Applying the *Johnson* factors, there were sufficient findings to support the trial court's conclusion that Defendant's statements were voluntary. The trial court's findings addressed each *Johnson* factor as appropriate under the evidence here. As to the "circumstances under which the interrogation was conducted, for example, the location, the presence or absence of restraints, and the suspect's opportunity to communicate with family or an attorney," the trial court's findings addressed the location in the hospital and that Detective Brown spoke to Defendant alone. *See Johnson*, 371 N.C. at 878–79, 821 S.E.2d at

829. As to the "treatment of the suspect," the trial court made findings regarding the duration of the interview, that Defendant was "not intimidated," and that he was "free to withdraw his consent at any time." *See id.* There was no evidence that Detective Brown made any show of force, threats, trickery, or deception of Defendant, and Defendant does not argue that these things happened. The trial court also made findings regarding Defendant's mental condition and education, stating that Defendant had a GED and was able to read and write.

Again, Defendant's main argument focuses on the lack of findings about what medications he was on, the dosages and times administered, and what the effects of those medications might have been. But the trial court's findings addressed the actual evidence presented: Detective Brown asked the nurse whether Defendant would be able to talk to him and she said he would. Detective Brown also asked Defendant whether he felt able to talk to him, and he said he was able. Detective Brown was also able to assess Defendant's level of awareness and understanding during the entire interview, and the trial court listened to the recording of that interview. Defendant asks us to speculate about potential medical issues not shown in the evidence; we cannot engage in that type of speculation.

Ultimately, the findings of fact show the following: Defendant executed a written *Miranda* waiver; Detective Brown inquired into Defendant's condition, both with his nurse and Defendant himself; Defendant acknowledged that he was willing to speak; Defendant was engaged during his conversation with Detective Brown;

Detective Brown offered Defendant the opportunity to withdraw; Defendant had a GED; and Defendant was not intimidated or promised anything during the conversation. These findings of fact are hardly comparable to the minimal findings in *Williford*, as they directly address the circumstances under which Defendant made statements to Detective Brown.

Therefore, there were sufficient findings of fact to support the trial court's conclusion that Defendant's statements were not "obtained in violation of due process."

III. Conclusion

We hold that the trial court did not err in denying both of Defendant's motions to suppress State's Exhibit 117.

NO ERROR.

Judges HAMPSON and FREEMAN concur.

Report per Rule 30(e).