

AUTHENTICATION

Evidence -- Transcript of Text Messages -- Authentication -- Confrontation Issue Not Preserved

State v. Taylor 178 N.C. App. 395 (2006)

The trial court did not abuse its discretion by admitting into evidence transcripts of text messages. There was **testimony sufficient to authenticate the exhibits**; moreover, defendant both failed to cite on appeal any authority to support the argument that his right to confront witnesses was denied and did not object at trial on constitutional grounds.

Evidence -- Audiotape -- Properly Authenticated

State v. Jones 358 N.C. 330 (2004)

An audiotape of a first-degree murder defendant arguing with his victims was properly authenticated where the tape was found in a victim's desk ten months after the murder and passed through several hands before coming into the custody of the district attorney's office. Testimony at a voir dire hearing was sufficient to establish the accuracy of the tape, demonstrate that it was legally obtained, and support a finding that the tape contained competent evidence of defendant's malice, intent, and ill will toward the victim.

Evidence -- Prior Crimes or Bad Acts -- Conspiracy to Sell and Deliver Cocaine -- Authentication

State v. Gaither 161 N.C. App. 96 (2003)

The trial court did not err in an armed robbery and possession of a firearm by a convicted felon case by admitting evidence of defendant's previous conviction for conspiracy to sell and deliver cocaine allegedly without proper authentication of the document, because: (1) N.C.G.S. § 8C-1, **Rule 1005** states that the contents of an official record if otherwise admissible may be proved by copy, certified as correct in accordance with Rule 902 or testified to be correct by a witness who has compared it with the original; and (2) a witness testified that the document was an exact copy of the original commitment order, that he observed the original document as it was pulled from county records, and witnessed the copy produced and certified by the clerk of court.