

Union County State's Attorney

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Press Release - For Immediate Release

Elk Point, S.D. – State's Attorney Jerry A. Miller said today that Autumn James, 26, South Sioux City, NE, Admitted to second violation of the terms and conditions of her probation on August 20, 2012. James was sentenced in the 1st Circuit Court, in Union County on October 1, 2012. The Court had previously revoked James' suspended imposition of sentence she received on the underlying charge of possession of controlled substances (methamphetamine) following her first probation violation. When the Court elects to revoke the suspended imposition of sentence, the Court then sentences the person as if for the first time. This offense is a class 4 felony. The maximum sentence on the class 4 felony is 10 years in the penitentiary and / or \$20,000 fine.

In 2010 James received a sentence of 5 years in the South Dakota State Penitentiary with 5 years suspended. James was also sentenced to 28 days in the Union County Jail with credit for the 21 days that James had previously served in jail awaiting transport to Union County. James continued on supervised probation for a term of 2 years. In this sentence the Court took into account the fact that James has spent a considerable amount time incarcerated waiting to complete her sentence in Nebraska before being transported to South Dakota.

Following her most recent probation violation, James was arrested in Iowa for the possession of controlled substances again and driving while under the influence. James admitted to her probation officer that she was smoking methamphetamine again. The court sentenced James to five suspended years in the state penitentiary with two years of supervised probation.

This is James second probation violation on this felony file. James has an extensive criminal history.