

June 6, 2016

Press Release - For Immediate Release

Defendant's Name: Dylan Evanoski
Age: 33
Residence: Des Moines, IA
Criminal File Number: 14-301
Original Charges Charged: Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5), 5/10 (Heroin);
Ct. 2: Driving with Revoked License, SDCL 32-12-65(1), (M1); &
Ct. 3: Trafficking in License Plates, SDCL 32-5-103, (M2);
Convicted Of (Offer): Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5), 5/10 (Heroin);
Date of Arrest: August 14, 2014
Date of Indictment: September 3, 2014
Arraignment Date: September 15, 2014
Date of Sentence: November 24, 2014
Arresting Officer: Trooper Brandon Hansen – SDHP
Special Agent Ryan Pennock – SD DCI

1st Probation Violations: Violation of the condition of no alcohol or drug use;
Violation of the condition to following treatment and aftercare;
Violation of the condition to pay all monetary obligations;
Initial Appearance: August 17, 2015
Admission to all on: August 17, 2015

2nd Probation Violations: Violation by continued drug use (Meth, Cocaine and Marijuana);
Violation by failing to report for random drug testing;
Violation by failing to make regular meeting with CSO;
Violation by moving without permission;
Violation by absconding; and
Violation of the condition to pay all monetary obligations.
Initial Appearance: March 14, 2016
Admission to all on: March 14, 2016

Original Case Synopsis:

On or about August 14, 2014, Dylan Evanoski was the subject of an on-going investigation in which he was being followed by an agent of the Division of Criminal Investigation due to the reported and regular criminal activities Evanoski was participating in the Union County / Clay County area. Evanoski was reported to be doctor-shopping for pain medications and selling the pills he obtained through his actions. Evanoski is a revoked driver from the Des Moines, IA area and found to be driving a Chevy Malibu with plates that were registered to a Mazda. When confronted by law enforcement, Evanoski admitted that he was selling his prescription pills and that the pill counts in his possession would be off due to him having sold some of his pill in both Union and Clay County. DCI agents also found a small amount of black-tar Heroin inside one of the pill bottles.

Original Sentencing Synopsis:

On the class 5 felony charge of possession of a controlled substance, Dylan Evanoski admitted to offense on September 15, 2014. During the sentencing hearing phase of this file, the Court granted Dylan Evanoski a suspended imposition of sentence. Under this legal process, if Dylan Evanoski satisfies the terms and conditions of supervised probation the court will seal Dylan Evanoski's criminal file on this charge. Dylan Evanoski was also ordered to pay his court costs, prosecution costs, and repay Union County for providing him a court-appointed attorney. Dylan Evanoski was further ordered to pay all of his financial obligations as part of the terms of his supervised probation requirements.

1st Probation Violation Synopsis:

Dylan Evanoski tested positive for methamphetamine, cocaine, THC, and opiates on January 20, 2015. Evanoski was placed on a required testing protocol of which Evanoski failed to ever report for testing. Evanoski was ordered to complete treatment following an evaluation, however, Evanoski has not started treatment as ordered. Furthermore, Evanoski failed to make any payments on his court ordered monetary obligations.

1st Probation Violation Disposition Synopsis:

The court resentenced Evanoski following his admission to three probation violations on the original and underlying class 5 felony charge of possession of a controlled substance. The court decided to revoke Evanoski's original suspended imposition of sentence. Then the court sentenced Evanoski to a suspended sentence to the South Dakota penitentiary for a term of five years with a term of supervised probation for a term of three years. Evanoski was reordered to follow the court's orders, terms, and conditions. Evanoski was reordered to pay all the court ordered obligations. The court further ordered that Evanoski serve fourteen days in the Union County Jail with credit for the eight days he spent incarcerated prior to this disposition.

Evanoski was represented by retained counsel throughout this probation violation process.

2nd Probation Violation Synopsis:

Dylan Evanoski tested positive for methamphetamine, cocaine, THC in October and December of 2015. Evanoski failed to report to his scheduled appointment on December 22, 2015. Evanoski was called on December 30, 2015 and set an appointment for the same day which he failed to make. Evanoski failed to report for testing appointments on January 14, and 28, of 2016. On January 28, 2016 a member of the warrant team went to the offender's last reported address and found that Evanoski no longer lives at his reported address.

2nd Probation Violation Disposition Synopsis:

On March 14, 2016, the court resentenced Evanoski following his admission to the probation violations on the original and underlying class 5 felony charge of possession of a controlled substance. The court suspended two years of a five-year sentence to the South Dakota penitentiary. Evanoski was immediately taken into custody to begin his three year sentence. Evanoski was reordered to pay all the court ordered obligations. The court further ordered that Evanoski receive credit for the forty-one days he spent incarcerated prior to this disposition.

Criminal History:

While Evanoski had several misdemeanor convictions, this felony offense in Union County is Evanoski's first career felony conviction. Since November 14, 2014 Evanoski has continued his felonious behavior; been caught by his probation officer on numerous occasions having used multiple types of controlled and illegal substances. This is Evanoski's 2nd probation violation on this felony charge.