
August 12, 2016

Press Release - For Immediate Release

Defendant's Name: Brian Mackeprang
Age: 46
City and State of residence: Jefferson, SD
Criminal File Number: 15-393
Incident Date: November 3, 2015
Indictment Date: November 18, 2015
Arraignment Hearing: December 21, 2015
Change of Plea Date: February 1, 2016
Date of Sentencing: February 22, 2016
Convicted of: Ct. 1: Possession of a firearm while intoxicated, 22-14-7(3), (M1)
Ct. 2: Simple assault (domestic), 22-18-1(4), (M1)
Arresting Officer: Deputy Jason Westcott – Union County Sheriff's Office
Sheriff Dan Limoges – Union County Sheriff
Officer Corey Trudeau – Elk Point City Police Officer
Officer Aaron Tyler – North Sioux City Police Officer
Defense Attorney: Craig Thompson
Prosecution Attorney: Alexis Tracy

Case Synopsis:

On November 3, 2015, law enforcement was called to the Mackeprang residence for a domestic disturbance in which the report stated that Brian Mackeprang was in possession of a shotgun. While the officers were in route, Brian Mackeprang was telling dispatch that he 'didn't know why he had not pulled the trigger yet' along with other statements. Dispatch talked Mackeprang down until law enforcement could arrive on scene. Upon arriving at the scene, Brian Mackeprang was observed in the garage of his residence with the shotgun. When asked, Mackeprang put the shotgun down. The shotgun was secured and found to be loaded. Mackeprang submitted to a preliminary breath testing which indicated that his approximant blood alcohol content was .123%.

The Mackeprangs were separated. Brian Mackeprang had been living in Tennessee for the past year and decided to move back to SD because he could not afford to maintain two residences. Mackeprang's estranged wife had moved out of the residence. On this evening, while Brian Mackeprang was asleep, his estranged wife had entered the residence and woke him up. Brian Mackeprang kept asking his wife to leave. The two of them argued and when she would not leave, he called 911.

Kelly Mackeprang explained that she did enter the residence to retrieve some of her items. One item that she wanted back was her ring that she had given him. When he would not give her the ring, she attempted to remove the ring. The two of them struggled over the possession of the ring. She reported that Brian Mackeprang had pinned her into a pretzel shape. When he released her, Kelly Mackeprang got up to call 911. This is when Brian Mackeprang retrieved a loaded shotgun and called 911. Kelly Mackeprang submitted to a preliminary breath testing which indicated that her approximant blood alcohol content was .047%.

Based upon the information available to the officers, the officers determined that Brian Mackeprang was the predominate aggressor who had assaulted his wife both physically and with a firearm while intoxicated.

Sentencing Synopsis:

On the charge of possession of a firearm while intoxicated, Brain Mackeprang received a 360-day sentence with 350 days suspended to the Union County Jail on the term and condition that Mackeprang complete 360 days of unsupervised probation which includes the following; pay all of his monetary obligations within thirty days; obey all laws; and not possess any alcohol, drug, or controlled substance. The court also ordered that Brain Mackeprang pay the following: \$84.00 in Court Costs; \$250.00 in Fines; and \$145.00 in Prosecution Costs. A schedule was set for Brain Mackeprang to serve his ten days in county jail.

On the charge of simple assault (domestic), Brain Mackeprang received a 360-day sentence with 360 days suspended to the Union County Jail on the term and condition that Mackeprang complete 360 days of unsupervised probation which includes the following; pay all of his monetary obligations within thirty days; obey all laws; and not possess any alcohol, drug, or controlled substance. The court also ordered that Brain Mackeprang pay the following: \$84.00 in Court Costs; \$300.00 in Fines; and \$25.00 for a domestic violence fee. The sentence in count two shall run concurrent to his sentence in count one.

Criminal History Synopsis:

This is the only offense on Brian Mackeprang's criminal history. This case was resolved with two misdemeanor charges.