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January 13, 2017

## Press Release - For Immediate Release

Defendant's Name: Kristopher Cummings  
Age: 36  
City and State of residence: Dakota Dunes, SD  
Criminal File Number: 16-172  
Date of Offense: November 9, 2015  
Date of Indictment: April 20, 2016  
Date of Arraignment: October 24, 2016  
Offense(s) Charged: Ct.1: Possession of a Schedule 1 or 2 Controlled Substance with Intent to Distribute, (F4)  
Ct.2: Possession of a Schedule 1 or 2 Controlled Substance, (F5)  
Ct.3: Possession of Drug Paraphernalia, 22-42A-3, (M2)  
Change of Plea Date: October 24, 2016  
Convicted of: Ct.1: Possession of a Schedule 1 or 2 Controlled Substance with Intent to Distribute, (F4)  
Date of Sentencing: October 24, 2016  
Officer: Chief Richard Headid – North Sioux City Police Department  
Officer Dustin Sharkey – North Sioux City Police Department  
Officer Samantha Close – North Sioux City Police Department  
SA Mark P. Minten – DEA  
Defense Attorney: Jeff Myers  
Prosecutor: Alexis Tracy

### Case Synopsis:

On November 9, 2015, law enforcement had information that Kristopher Cummings was going to be in North Sioux City. CUMMINGS was arrested on an outstanding warrant. A search of CUMMINGS' residence revealed a Ruger 45. Law Enforcement also found the following illegal items within the CUMMINGS' residence to be multiple items of drug paraphernalia, and packages of methamphetamine. CUMMINGS' was interviewed and he admitted to officers where additional methamphetamine was located. Natausha FISCHER was interviewed as a resident of the CUMMINGS' resident. Some of the items were found in FISCHER's jewelry box.

### Sentencing Synopsis:

On October 24, 2016, the Court sentenced CUMMINGS on the class 4 felony charge of possession of a schedule 1 or 2 controlled substance with the intent to distribute. The Court considered the arguments of the State and the Defense, the Court determined that CUMMINGS shall serve a 52-month sentence to the penitentiary. CUMMINGS was further given credit for 56 days spent incarcerated prior to sentencing. CUMMINGS was ordered to pay \$104 in Court Costs; \$10 in Prosecution Costs; and \$253.00 to the county for his Court Appointed Attorney

Fees. The Court ordered that CUMMINGS sentence shall run concurrent with his federal penitentiary sentence.

**Criminal History:**

This is CUMMINGS's third career felony conviction. CUMMINGS' criminal history includes a joy riding offense, assault causing bodily injury, 3 OWI's, possession of marijuana, a felony drug conviction, and a simple assault domestic.