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November 3, 2017

## Press Release - For Immediate Release

Defendant's Name: Michael Lay  
Age: 42  
State of residence: SD  
Criminal File Number: 17-164  
Incident Date: May 9, 2017  
Indictment Date: May 17, 2017  
Arraignment Hearing: July 31, 2017  
Charges Files: Ct. 1: Forgery, SDCL 22-39-36, F5 5/10  
Ct. 2: Forgery, SDCL 22-39-36, F5 5/10  
Ct. 3: Possession of a Known Forged Instrument, SDCL 22-39-38, F6 2/4  
Ct. 4: Possession of a Known Forged Instrument, SDCL 22-39-38, F6 2/4  
Change of Plea Date: July 31, 2017  
Date of Sentencing: October 16, 2017  
Convicted of: Ct. 1: Forgery, SDCL 22-39-36, F5 5/10; and Amended Part II making this a class 4 felony  
Arresting Officer: Chief Jacob Limoges - EPPD  
Defense Attorney: Jeff Myers  
Prosecution Attorney: Jerry A. Miller

### **Case Synopsis:**

On May 7, 2017, Chief Limoges was dispatched to Casey's General Store in Elk Point, SD for a possible counterfeiting situation. When Chief Limoges arrived the Manager of Casey's handed Chief Limoges two \$50 bills that the serial number matched on. Chief Limoges made contact with the person alleged to have passed the \$50 bills at his place of employment and that was the Defendant, Michael Lay. The Defendant admitted to knowing that they were counterfeit. The Defendant was later indicted on Forgery and Possession of a Known Forged Instrument for Both \$50 bills.

### **Sentencing Synopsis:**

Michael Lay was sentenced at 2:30 p.m., on October 16, 2017. The Court sentenced Michael Lay on one count of Forgery, SDCL 22-39-36, a class 5 felony, and the Amended Part II Information for Habitual Offenders, enhancing Count 1 to a class 4 felony. Michael Lay received a Five (5) year sentence in the South Dakota State Penitentiary, and then the court SUSPEND the EXECUTION of the Five (5) years on the terms and conditions that Michael Lay is successful on supervised probation for a term of Four (4) years. The Court ordered that the sentence in this file shall run concurrent with his 17-163 file.

Michael Lay is required to pay Court Costs of One Hundred and Four (\$104.00) Dollars; Prosecution Costs in the amount of Ten (\$10.00) Dollars; and Court Appointed Attorneys Fees in the amount of One Thousand Two Hundred and Forty -Five (\$1,245.50) Dollars and Fifty Cents. Union County was given a judgment for the amount of Court Appointed Attorneys Fees.

**Criminal History Synopsis:**

This would appear to be Michael Lay's fourth felony conviction. He also received his third felony conviction in Union County at the same time. Lay has a criminal history in GA, IA, and SD. Lay has had a previous felony in another county in SD and has several warrants for his arrest on other criminal matters in other counties. His crimes deal with addiction and possession issues as well as forgery issues.