

## Union County State's Attorney

209 East Main Street ~ Suite # 140  
Elk Point, South Dakota 57025 ~ 2327  
Telephone (605) 356-2666 / Facsimile (605) 761-0199

Jerry A. Miller  
State's Attorney  
ucsa@iw.net

Jeff Rarick  
Deputy State's Attorney  
ucdsa@iw.net

September 27, 2010

### Press Release - For Immediate Release

Elk Point, S.D. – State's Attorney Jerry A. Miller said today that Autumn James, 24, South Sioux City, NE, Admitted to violating the terms and conditions of her probation on August 16, 2010. James was sentenced in the 1<sup>st</sup> Circuit Court, in Union County on August 16, 2010, for the probation violation on the same date. The Court revoked James' suspended imposition of sentence she received on the underlying charge of possession of controlled substances (methamphetamine). 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.

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 will continue 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.