

## Union County State's Attorney

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### Press Release - For Immediate Release

Elk Point, S.D. – State's Attorney Jerry A. Miller said today that Michael Brzostowski, 47, Jefferson, SD, plead guilty on July 19, 2010, and was sentenced in the 1<sup>st</sup> Circuit Court, in Union County on August 23, 2010, to one count of Driving Under the Influence 4<sup>th</sup> offense, a class 5 felony. The maximum sentence on the class 5 felony is 5 years in the penitentiary and / or \$10,000 fine. Brzostowski received a sentence of 5 years in the South Dakota State Penitentiary with 5 years suspended. Brzostowski was also sentenced to 180 days with work release in the Union County Jail; fined \$1500; and placed on supervised probation for the next 5 years. Brzostowski's driver's license was suspended 2 years from the date of his release.

Michael Brzostowski, was a found to be swerving within his lane on 5/22/10 by Union County Deputy Josh Lee. - Northbound on Interstate 29 at MM 1. Brzostowski was found to be under the influence at a level of .224% BAC.