

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 Terry Berg Jr., 31, Sioux City IA, admitted to Simple Assault (a class 1 misdemeanor) in Circuit Court this morning. Berg's charge stemmed from an assault involving a racecar at the Jefferson Park Speedway. On June 20, 2009, Berg Jr. admitted to intentionally breaking formation and disabling Zachary Denny's racecar. Berg Jr. proceeded to ram Denny's vehicle in the pit on two occasions. During the second impact, Berg flipped his own racecar ending the melee'. Berg Jr. was sentenced today to 365 days in the Union County Jail with all but 42 days suspended. Berg Jr. was also fined one thousand dollars and ordered to pay court costs, prosecution costs and repay the county for his court-appointed attorney fees within one year or serve the balance of his suspended sentence.

Berg Jr., who during this incident was out on bond from the Iowa penitentiary pending his appeal on a felony conviction, was returned to the penitentiary due to his actions here in Union County, a subsequent burglary charge in Iowa, and an additional charge out of Dakota County Nebraska. Once Berg Jr. was released from the Iowa state penitentiary, Union County waited its turn to prosecute Berg which accounts for the two year delay in prosecuting this file.

This case was investigated by Deputies Mike Palmer and Jon Feller with the Union County Sheriff's Office.