

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Alejandro Holguin
Age: 38
City and State of residence: South Sioux City, NE
Criminal File Number: 14-158
Originally Convicted of: Possession of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5, a class 5 felony; and Possession of Drug Paraphernalia, a violation of SDCL 22-42A-3, a class 2 misdemeanor;
Original Sentencing Date: July 21, 2014
Original Arresting Officer: Lt. Richard Headid – North Sioux City Police Department
Date of Probation Violation: October 13, 2014
Probation Violation Disposition: December 8, 2014
Probation Violation: 1) Failure to comply with supervised probation; 2) Failed to follow all law; 3) Violation of no possession or use of drugs or alcohol; 4) Failed to complete treatment; and 5) Failed to make regular payments on financial obligations.
Arresting Officer: Sgt. Hoogendyk – Sioux City Police Department, IA
Officer Rose – Sioux City Police Department, IA

Probation Violation Synopsis:

On October 13, 2014, Holguin was reported to law enforcement as a suspicious subject. The report indicated that Holguin was not a known person in the neighborhood of the report. He was acting strange and the reporting person thought that he was under the influence of drugs. Holguin was parked in the alley and would walk through the yards of the houses in the neighborhood. Holguin activities were taking place pursuant to the report around 11:41 p.m. Holguin made contact with the reporting party and asked to borrow a lighter. When asked why he needed a lighter, Holguin indicated that he wanted to use the lighter to see into a neighboring residence.

Holguin ran from officer upon their approach as they were responding to the call from the concerned citizen. Officers were able to detain Holguin. During the investigation, the officers noted that Holguin had cellophane tucked under the laces of his shoe on top of the tongue of the shoe. Officer identified the substance in the cellophane as methamphetamine. Holguin claimed that the substance was table salt and that he was attempting to sell the table salt for money. The officer arrested Holguin, and noted their belief that he was under the influence of a controlled substance.

On October 14, 2014, Holguin was confronted by his probation officer and admitted that he both possessed and used methamphetamine. Holguin also tested positive for amphetamine and methamphetamine as confirmed through the testing of his urine. Holguin treatment provider indicated that he had dropped out of the program prior to the above events.

Probation Violation Disposition Synopsis:

Holguin admitted to violating his terms and conditions of probation on November 3, 2014. On December 8, 2014 Holguin appeared before the court for the disposition of his case. On the charge of Possession of Schedule I or II Controlled Substance, Holguin was re-sentenced to a five year sentence to the SD state penitentiary. The court suspended execution of two and half years of the five year sentence. Holguin's financial obligations were re-imposed, as well as the additional financial obligations for the county having provided his legal representation throughout this process.

Criminal History:

This is Alejandro Holguin's first probation violation on his second career felony conviction.

Original Case Synopsis:

On May 15, 2014, Lt. Headid was called to respond to the Triple Crown Casino by a manager. Lt. Headid took a report that a patron had taken a salad spoon from the buffet and that it was found in the bathroom trash with burn marks and a drug substance on the spoon. Lt. Headid identified the drug substance as methamphetamine and determined that the patron had used the salad spoon to cook and prepare methamphetamine for intravenous use. Lt. Headid found the patron based upon the manager's description at 4 Aces. The patron was identified as Alejandro Holguin. Holguin was attempting to avoid the officers looking for him and was found getting into the vehicle of a Consuelo Valdez. Lt. Headid questioned Holguin who admitted that he had recently injected himself with methamphetamine at the Triple Crown Casino after using the salad spoon that he had taken from the buffet. A search of the vehicle revealed additional paraphernalia and a drug like substance. Both Holguin and Valdez were arrested. As this case progressed, family members advised the State, the Defense, and the Court that Holguin has a serious issues with different types of substances and a history of retail theft to support his habit. A records check revealed that Valdez has a history of distribution of controlled substances in two states.

Original Sentencing Synopsis:

On the charge of Possession of Schedule I or II Controlled Substance, Holguin received a five year suspended execution of sentence to the penitentiary and four years of supervised probation. Holguin was also ordered to pay all financial obligations as a condition of satisfying supervised probation.

On the charge of Possession of Paraphernalia, Holguin was also ordered to pay all financial obligations as a condition of satisfying supervised probation.