

Union County State's Attorney

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September 9, 2014

Press Release - For Immediate Release

Defendant's Name:	John Goldsmith
Age:	64
City and State of residence:	Sgt. Bluff, IA
Criminal File Number:	14-237
Convicted of:	Grand Theft 22-30A-1 & 22-30A-17 (F5) 5/10
Offense Date:	March 14, 2014
Information & Complaint:	July 1, 2014
Arraignment Date:	July 7, 2014
Change of Plea Date:	July 7, 2014
Date of Sentence:	August 18, 2014
Rest:	\$6732.50 - Paid in full on the date of sentencing.
Arresting Officer:	Lt. Richard Headid – North Sioux City Police Department
Bond:	PR
Attorney:	Robert Tiefenthaler

Case Synopsis:

On March 14, 2014, the State believes that the evidence would prove that the semi-truck driven and owned by John Goldsmith was contracted to deliver a trailer full of pallets from Gomez Pallets, Sioux City, IA, to Interbake Foods, in North Sioux City, SD. Shortly after dropping off the Gomez Pallet trailer filled with pallets, Goldsmith's truck was caught on camera picking up the trailer and driving it off the lot. Further investigation discovered that Goldsmith hired a Sgt. Bluff's man to unload the Gomez Pallet trailer and reload the pallets onto one of his Goldsmith's own trailers. It should be noted that man hired by Goldsmith to transfer the pallets succeeded in getting the forklift stuck on Goldsmith's lot which required another person to assist in freeing the forklift. The person who assisted in this process also confirms the time, date, activities being conducted, as well as the trailer information which positively identified Gomez's trailer being on Goldsmith's lot. Further investigation identified that Goldsmith thereafter sold a trailer of pallets to his boss, Krajicek, Inc, for about half the value for what they were worth. The load of pallets was valued at \$6524.00. Lastly, Gomez's stolen semi-trailer was located abandoned at the Coffee-cup fuel stop truck parking lot. It cost Gomez Pallets \$208.50 to secure and retrieve their stolen semi-trailer.

During the investigation, Goldsmith exercised his constitutional rights and did not cooperate with law enforcement. Goldsmith retained attorney Robert Tiefenthaler who contacted the Union County State's Attorney's office. Once the investigation was completed, the reports were forwarded to Tiefenthaler along with a plea agreement offer which, if excepted, required Goldsmith to plead guilty at his arraignment. Goldsmith accepted the offer. Goldsmith was sentenced on August 18, 2014.

Sentencing Synopsis:

On the charge of Grand Theft, a violation of SDCL 22-30A-1 & 22-30A-17, a class 5 felony, the court sentenced Goldsmith to 5 years suspended execution of sentence with 3 years of

supervised probation. Goldsmith was ordered all of his restitution on the day of sentencing totaling \$6732.50; and a Fine in the amount of \$1500.00; along with standard probation obligation.

The State resisted the Defense's request for a suspended imposition of sentence due to the fact that Goldsmith had taken so much time in calculating out this crime, transferring the product from one trailer to another, and then abandoning the originally stolen trailer. The State argued that Goldsmith had several opportunities to re-think his actions and re-turn what he had stolen. The court agreed that this behavior and the facts of this case does not support the court's criteria for a suspended imposition of sentence.

Criminal History:

This is John Goldsmith's first career felony conviction.