

Union County State's Attorney

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

Jerry A. Miller
State's Attorney
JerryMiller@UCSA.US

Alexis A. Tracy
Deputy State's Attorney
AlexisTracy@UCSA.US

Tamara P. Nash
Deputy State's Attorney
TamaraNash@UCSA.US

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Press Release - For Immediate Release

Defendant's Name: Matthew Gutierrez (aka Matthew Nguyen – aka Matthew Gutierrea-Nguyen)
Age: 23
City and State of residence: Sioux City, IA
Criminal File Number: 14-481
Convicted of: Ingestion of Schedule 1 or 2 Controlled Substance (Meth), (F5), 22-42-5.1
Possession of Schedule 1 or 2 Controlled Substance (Meth), (F5), 22-42-5
Sentencing Date: May 18, 2015

Case Synopsis:

Union County Deputy had deployed her canine partner around a vehicle located at the Monaco Casino parking lot, located at the intersection of Military Road and Main Street in North Sioux City. The Deputy noted that her canine partner alerted and indicated to this vehicle. As Deputy Ryan was securing her canine partner in the vehicle, Roberto G and Matthew Gutierrez exited the casino and entered the vehicle. Prior to Deputy Ryan stopping the vehicle, Mr. Olmos was driving toward the parking lot exit. Olmos denied the use or possession of any illegal or controlled substance. Deputies found 4.6 grams of methamphetamine. Olmos latter admitted that he smoked methamphetamine and marijuana one day prior to this law enforcement contact. Matthew Gutierrez had a valid warrant for his arrest out of the state of Iowa. Matthew Gutierrez cooperated with a urine request, which tested positive for methamphetamine at a level of 11,777 ng/ml.

Sentencing Synopsis:

The Court ordered the following sentence on the charge of ingestion of schedule 1 or 2 controlled substance, which is a class 5 felony: Gutierrez received a five year suspended penitentiary sentence with a 4 year supervised probation term. The Court also sentenced Gutierrez with a county jail sentence of 141 days with credit for 141 days previously spent incarcerated prior to the disposition of this sentence.

The Court further ordered that the Gutierrez pay the following:

- Prosecution Costs of \$10.00;
- Court Costs of \$104.00;
- SD Drug Control Fund Fee / Costs of \$99.00;
- A fine of \$500.00; and
- Court Appointed Attorney Fees of \$1,462.50.

The Court passed down the following sentence on the charge of possession of schedule 1 or 2 controlled substance charge, which is a class 5 felony: Gutierrez received a five year suspended penitentiary sentence with a 4 year supervised probation term. The Court further ordered that Gutierrez spend an additional 60 days in the Union County Jail. Thirty of those sixty days shall be served starting June 1, 2016, and the remaining thirty days shall be served starting June 1, 2017. The Court ordered that each sentence shall run consecutively to other felony in this file.

The Court further ordered that the Gutierrez pay the following:

➤ Court Costs of \$104.00;

Criminal History:

This is Matthew Gutierrez's second and third career felony convictions. Matthew Gutierrez also has a felony conviction in Nebraska for possession of one pound or more of marijuana. Gutierrez's charges in Iowa were not resolved at the time of this sentencing.