

# Union County State's Attorney

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July 9, 2015

## Press Release - For Immediate Release

Defendant's Name: Clayton Wikstrom  
Age: 42  
City and State of residence: Vermillion, SD  
Criminal File Number: 14-380  
Offense Occurred On: October 7, 2014  
Indicted: November 19, 2014  
Plead Guilty On: April 27, 2015  
Convicted of: Ct. 1: Ingestion of Schedule 1 or 2 Controlled Substance, (F5), 22-42-5.1  
Sentencing Date: April 27, 2015

### Case Synopsis:

On October 7, 2014, Clayton Wikstrom was stopped on interstate 29 at mile marker 3 for not having a front license plate. Officer Aaron Tyler noted that Wikstrom had dilated pupils even though it was a low light setting during the stop. To the officer this suggested that Wikstrom is currently under the influence of a stimulant. Wikstrom told Officer Tyler that he used marijuana about 14 days prior to the stop and methamphetamine approximately 30 days prior to the stop. Generally, marijuana will stay in the body and is detectable in a person's urine for approximately 30 days. Additionally, methamphetamine, can stay in the body and is detectable in a person's urine for 3 to 5 days depending upon the amount of methamphetamine a person introduces into the body. Wikstrom was arrested for ingestion of marijuana. Wikstrom declined to provide a urine sample for testing. Officer Tyler was working on a search warrant to secure a urine sample, when Wikstrom voluntarily contacted the jail staff and provided a urine sample. Wikstrom's urine sample tested positive for marijuana at 677 ng/ml, and methamphetamine at 18,780 ng/ml.

### Sentencing Synopsis:

The Court identified the following aggravating circumstances to depart from a presumptive probation sentence:

- Prior felony convictions;
- Extensive history of drug use;
- Extensive history of drug related offenses in Iowa;
- Wikstrom has been sentenced to the Iowa Penitentiary with a mitimus date in the future making a probation sentence impractical, therefore,

The Court Ordered a five-year sentence with three years suspended. Wikstrom received credit for the four days he previously spent incarcerated prior to this sentence.

The Court further ordered that Wikstrom pay the following:

- Prosecution Costs of \$10.00;
- Court Costs of \$104.00; and
- Court Appointed Attorney Fees of \$621.30.