

May 27, 2015

## Press Release - For Immediate Release

Defendant's Name: Andrew Knode  
Age: 26  
Residence: Yankton, SD  
Criminal File Number: 14-455  
Charges: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, (F5)  
Ct. 2: Possession of Marijuana, (M1)  
Ct. 3: Possession of Drug Paraphernalia in a Motor Vehicle (M2)  
Part 2 Habitual Offender: (3 felony offences). Which increases each charged felony offence two levels.

Date of Offense: December 9, 2014  
Date of Indictment: December 17, 2014  
Arraignment Date: December 22, 2014  
Change of Plea Date: March 2, 2015  
Convicted of: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, (F5)  
Sentencing Date: April 13, 2015  
Arresting Officers: SD Highway Patrolman Brian Biehl  
SD Highway Patrolman Deanna Goeman

### Case Synopsis:

Trooper Brian Biehl started to follow Andrew Knode after the trooper noted his illegal exhaust system. Upon following Knode's vehicle for a short period of time, the trooper noted that Knode was able to keep his vehicle within his own lane. Upon stopping the vehicle, Trooper Biehl noted that an occupant of the vehicle had recently sprayed cologne along with the smell of burned and fresh marijuana. Visible from the Trooper's location outside the vehicle, was a container of Axe body spray in the cup holder on the dash of the pickup. Based upon the odor of marijuana, Trooper Biehl searched Knode and found a jar of marijuana in his jacket pocket. Knode admitted to Trooper Biehl that he uses marijuana constantly throughout the day. A second and more intensive search of Biehl produced a container of hashish in Knode's underwear.

It was discovered that Knode was on Parole, and upon notification of the results of this stop, Knode's parole officer started the process of revoking his parole. Knode also possessed a pipe in his wallet along with Seventeen Hundred Dollars in cash which was seized. All items were tested and were positive for either marijuana and / or the chemical compound consistent with hashish.

This is Andrew Knode's Fourth Felony conviction, and Knode had a pending felony charge in Yankton as well.

### Sentencing Synopsis:

On March 2, 2015, Andrew Knode admitted to the charge of possession of schedule 1 or 2 controlled substance. On April 13, 2015, Knode was received the following sentence:

- The court found that Knode poses a significant risk to the public which required a departure from presumptive probation;
- 5 years to the South Dakota State Penitentiary with 2 years suspended to start immediately;
- Comply with all terms and conditions of parole;
- \$104 Court Costs; \$10:00 Prosecution Costs; \$134 to the SD Drug Fund; Fine of \$500; and CAAF of \$730.25.
- This sentence to be served concurrent with Yankton County's sentence.