

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Paul Koepke
Age: 24
City and State of residence: Fargo, ND
Criminal File Number: 14-224
Charged with: Ct. 1: Possession of a Schedule 2 Controlled Substance (Methadone) (F5) 22-42-5
Ct. 2: Ingestion of a Schedule 2 Controlled Substance (Methadone) (F5) 22-42-5.1 Ct.
3: Ingestion of a Schedule 2 Controlled Substance (Methamphetamine) (F5) 22-42-5.1
Offense Date: May 15, 2014
Indicted on: June 25, 2014
Arraignment Date: July 21, 2014
Change of Plea Date: September 15, 2014
Date of Sentence: November 3, 2014
Convicted of: Ct. 1: Possession of a Schedule 2 Controlled Substance (Methadone) (F5) 22-42-5
Arresting Officer: Trooper Trent Heuertz – South Dakota Highway Patrol
SA Brian Schnabel – South Dakota Division of Criminal
Investigation Bond: \$500 Cash Bond – Set by Judge Jensen on 7/11/2014
Defendant's Attorney: Rachel Rasmussen

Probation Violation:

- 1) Use of prescription drugs without a valid prescription;
- 2) Caught with Methylphenidate in his possession on 3/16/2016;
- 3) Caught with drug paraphernalia;
- 4) Urine tested positive for amphetamine and methamphetamine;
- 5) Habitually failed to report to his Court Services Officer;
- 6) Failed to attend and complete treatment;
- 7) Failed to maintain a stable home or employment; and
- 8) Failed to make regular payments.

Disposition of Probation: April 27, 2016
Defendant's Attorney: A. Jason Rumpca

Case Synopsis:

On May 15, 2014 at about 5:30 p.m. a concerned motorist stopped to talk to Trooper Heuertz who was sitting in the crossover watching traffic at about mile-marker 15 on Interstate 29. The concerned motorist advised that a vehicle that was about 1 mile behind him was driving erratically and was all over the road. The suspected vehicle passed the trooper's location and Trooper Heuertz pulled in behind the vehicle and observed the vehicle's driver inability to keep the vehicle in a single driving lane. The driver of this vehicle was later identified as Paul Koepke. Trooper Heuertz noted that the driver was visibly shaking. The Trooper observed a prescription bottle with the lid removed near the driver which was found to contain liquid Methadone. The

prescription bottle was not in Koepke's name and the owner of the prescription was not present in the vehicle. Koepke denied using the Methadone. Trooper Heuertz seized Koepke's cell phone which was found to contain drug transaction material of purchasing illegal substances at a low price and selling drugs at a higher price. Koepke's urine was tested and was found to be positive for Methadone @ 7,181 ng/ml (of which Koepke does not have a prescription for this substance); and Amphetamine @ 60,952 ng/ml; and Methamphetamine @ 11,951 ng/ml.

Sentencing Synopsis:

On the charge of ingestion of a schedule 1 or 2 controlled substance, Paul Koepke received a five (5) year suspended sentence and a requirement to successfully complete four (4) years of supervised probation. The court further ordered that Koepke serve seventy-six (76) days in the Union County Jail and then gave Koepke credit for the sixteen (16) days he spent incarcerated prior to being sentenced. Koepke was ordered to serve thirty (30) days in the Union County Jail starting on January 15, 2015 and another thirty (30) days on January 15, 2016, however these days may be suspended by his assigned court services officer if Koepke is doing well on probation. Koepke was ordered and required to pay all, restitution, fine, court costs, and prosecution costs, as well as his court-appointed attorney fees.

Probation Violation Disposition Synopsis:

The Defendant, Paul Koepke, was sentenced April 27, 2016 on his probation violation in Clay County and Union County at the same time. On the charge of ingestion of a schedule 1 or 2 controlled substance, Paul Koepke was resentenced to a five (5) year suspended sentence and a requirement to successfully complete four (4) years of supervised probation. The court further ordered that Koepke serve forty-one (41) days in the Union County Jail and then gave Koepke credit for the four-one (41) days he spent incarcerated prior to being sentenced. Koepke was ordered in both the Clay County and Union County Felony files to successfully complete the Yankton County Drug Court program in Yankton. Koepke's probation is to run concurrent, however the penitentiary time the court ordered is ordered to be consecutive. Koepke was further ordered to pay all, restitution, fine, court costs, and prosecution costs, as well as his court-appointed attorney fees.

Criminal History:

This is Paul Koepke's first probation violation on his second career felony conviction on his record. Koepke was on probation for a felony in both Clay County and in Union County.