

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Jerry Chalup
Age: 51
City and State of Residence: Dakota Dunes, SD
Criminal File Number: 15-327
Incident Date: September 9, 2015
Indictment Date: October 14, 2015
Arrest Date: November 23, 2015
Change of Plea Date: March 3, 2016
Date of Sentencing: March 3, 2016
Re-Charge: March 3, 2016 ~ Possession of Marijuana, 22-42-6, (M1)
Convicted of: Ct. 1: Possession of Marijuana, 22-42-6, (M1)
Arresting Officer: Deputy Joshua Bridenstine – Union County Sheriff's Office
Chief Deputy Mike Bucholz – Union County Sheriff's Office
Court Appointed Attorney: Tressa Zahrbock-Kool

Case Synopsis:

The days on or about September 9, 2015, law enforcement took a report in which a female reported multiple offenses. The victim in this case left a long standing relationship, according to the report, to accept a place to live with Jerry Chalup while she recovers from a shoulder surgery. The victim in this case alleged that Chalup had committed a series of serious sexual assaults over the course of several days. The victim alleged that she did not feel comfortable leaving the residence. The Grand Jury found that there was probable cause for the charges and a warrant for Chalup's arrest was issued. In the weeks that followed the indictment, the State and the Defense continued an investigation in to the allegations. In an effort to dispel the allegations of prescription drug use, the defense, conducted a nail test for a drug screening. The result of that drug screen showed no prescription drug use but did confirm marijuana use. Marijuana possession was originally alleged by the victim but not one of the original charges presented to the Grand Jury. The victim alleged that the relationship between her and Chalup was platonic. Upon further investigation the State's Attorney's Office came to question the ability to prove the allegations beyond a reasonable doubt. A plea agreement was reached in which Jerry Chalup would agree to admit to the charge of possession of marijuana, a class one misdemeanor and the State would dismiss the charges in the Indictment without prejudice.

Sentencing Synopsis:

On the charge in Count 1, for possession of marijuana, which is a class three felony, the Court sentenced Jerry Chalup to pay \$84.00 in Court Costs; \$371.00 in fines.

Criminal History:

This is file was resolved with a misdemeanor conviction pursuant to a plea agreement.