
November 28, 2016

Press Release - For Immediate Release

Defendant's Name: Nicholas Jankiewicz
Age: 35
City and State of residence: Sioux Falls, SD
Criminal File Number: 16-164
Date of Offense: April 77, 2016
Date of Indictment: May 11, 2016
Date of Arraignment: June 20, 2016
Offense(s) Charged: Ct.1A: DUI, 32-23-1(1), (M1)
Ct.1B: DUI, 32-23-1(2), (M1)
Part II Information: 2 previous DUIs
Change of Plea Date: July 18, 2016
Convicted of: Ct.1A: DUI, 32-23-1(1), (M1); and
Part II Information: Two Previous DUI convictions
Date of Sentencing: July 18, 2016
Officer: Deputy Josh Bridenstine - UCSO
Defense Attorney: Katie Johnson
Prosecutor: Alexis Tracy

Case Synopsis:

On April 17, 2016, at 9:30 p.m., Deputy Josh Bridenstine was called to a domestic disturbance in the Jefferson, SD area. The report indicated that Nicholas Jankiewicz had left the scene armed with a knife and that he was intoxicated. Nicholas Jankiewicz was stopped a block away from the sight of the disturbance. The officer began a DUI investigation due to detecting the odor of intoxicants. Jankiewicz admitted that he had recently consumed six 16 oz. beers. Jankiewicz stated that he started drinking at 6:30 p.m., and he was done drinking by 8:30 p.m.. Nicholas Jankiewicz failed the field sobriety tests and was arrested under the officer's belief that Jankiewicz was under the influence of intoxicants. Nicholas Jankiewicz's blood sample tested positive for alcohol at .168% blood alcohol content. A person is presumed to be under the influence at .08%.

Original Sentencing Synopsis:

On September 12, 2016, the Court sentenced Nicholas Jankiewicz on the class 6 felony charge of Driving Under the Influence, a violation of SDCL 32-23-4. The Court considered the arguments of the State and the Defense, and determined that Nicholas Jankiewicz should be sentenced to a suspended 2-year sentence to the penitentiary. Nicholas Jankiewicz was ordered to complete a 2-year term of supervised probation along with a county jail sentence of 60 days with 30 of those days suspended. Nicholas Jankiewicz was ordered to pay \$104 in Court Costs; a \$50 DUI fee to the county; \$100 in Prosecution Costs;

\$500 as a fine; and \$690 to the county for his Court Appointed Attorney Fees. The Court further revoked Nicholas Jankiewicz's license for an additional year.

Criminal History:

This is Nicholas Jankiewicz's second career felony offense. Nicholas Jankiewicz also had a deferred prosecution on another felony offense. Nicholas Jankiewicz has other misdemeanor offenses.