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Press Release - For Immediate Release

Defendant's Name: Narciso Paniagua
Age: 22
City and State of residence: Sioux City, IA
Criminal File Number: 13-126
Original Date of Offense: April 25, 2013
Original Date of Indictment: May 16, 2013
Date of Arraignment: June 10, 2013
Change of Plea Date: September 9, 2013
Convicted of: Ct. 2: Possession of Controlled Substance, 22-42-5, (F4),
Date of Sentencing: January 28, 2016
Arresting Officer: Sgt. Richard Headid – North Sioux City Police Department
Court Appointed Attorney: Rachel Rasmussen
Prosecutor: Jerry Miller

Probation Violation: June 2, 2016
Date of Probation Violation: Absconding; and Tested Positive for Marijuana;
PV Disposition Date: May 19, 2016
Arresting Officer: Court Services Officer Amy Keppen
Court Appointed Attorney: Andrew Twinamatsiko
Prosecutor: Alexis Tracy

See below for original case summary and disposition, as well as the Probation violation summary and disposition.

Original Case Synopsis:

On April 25, 2013 at about 10:44 p.m. Sgt. Richard Headid received a report that two males subjects are looking into random mailboxes, looking into the window of a residence, and were seen heading around to the back yard of a residence. The person reporting the activities was an off duty North Sioux City Police Officer. One subject took off running and was caught after about a 70 feet. The other subject surrendered to law enforcement as soon as they were approached. Paniagua reported that he and his friend were stopping by to see his cousin. The residence did not belong to his cousin. The following items were found on Paniagua which were removed from the residence as part of the burglary: Two cell phones; a SIM card; an Elgin Black and Gold watch; and a small silver container containing marijuana. A 22 caliber rifle that was missing from the garage was found on the Paniagua's accomplice. The accomplice's name is Austin Pate who was 19 years old at the time of the offense. Paniagua provided a urine sample that tested positive for methamphetamine at 19 ng/ml and positive for amphetamine at 3.4 ng/ml, and positive for marijuana (THC) at 759 ng/ml.

Original Sentencing Synopsis:

The Court sentenced Narciso Paniagua to a suspended five year sentence to the state penitentiary. The Court then ordered that Narciso Paniagua would have to successfully complete a five year term of supervised probation. Narciso Paniagua was further ordered to serve One Hundred and Ten days in the Union County Jail with credit for One Hundred and Ten days

previously served. Paniagua was also ordered to pay the following: A fine of \$400; Court Costs of \$104; Prosecution Costs of \$28; and Drug Control Fund Fee of \$45. Paniagua was also ordered to repay to Union County the \$1059.80 in Court-Appointed Attorney Fees.

Probation Violation Synopsis:

Paniagua meet with his probation officer on May 19, 2016 and was asked to complete a random urine test in which Paniagua failed by testing positive for the active ingredient for marijuana, which is a substance identified as THC. Paniagua's last contact with his court services officer was on June 2, 2016. Paniagua has missed every scheduled meeting since then and is considered to have absconded from his supervised probation.

Probation Violation Disposition Synopsis:

The Court resentenced Narciso Paniagua on September 12, 2016 to a suspended five-year sentence to the state penitentiary. The Court then ordered that Narciso Paniagua would have to successfully complete a four-year term of supervised probation. Narciso Paniagua was further ordered to serve one hundred and fifty-two days in the Union County Jail with credit for one hundred and fifty-two days previously served. Paniagua was also ordered to pay the following: A fine of \$400; Court Costs of \$104; Prosecution Costs of \$28.90; and Drug Control Fund Fee of \$45. Paniagua was also ordered to repay to Union County the \$1059.80 in Court-Appointed Attorney Fees, as well as the new court-appointed attorney fees of \$220.80.

Criminal History:

This is Narciso Paniagua's first probation violation on his first career felony offense.