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## Union County State's Attorney

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### Press Release - For Immediate Release

Defendant's Name: Thomas Sherman  
Age: 29  
Residence: North Sioux City, SD  
Criminal File Number: 15-143  
Offense Occurred On: May 2, 2015  
Indicted: June 20, 2015  
Arrestment: June 22, 2015  
Recharge / Plead Guilty On: November 12, 2015  
Convicted of: Ct. 1: Simple Assault, 22-18-1(4), (M1)  
Sentencing Date: December 21, 2015  
Arresting Officer: Officer Aaron Tyler – North Sioux City Police Department  
Defense Attorney: Hannah Vellinga

#### Case Synopsis:

On May 2, 2015, the victim in this case lived in the same apartment complex as Thomas Sherman. The victim stated that he observed a young boy beating a dog in the apartment complex court yard. The victim approached the boy and chastised the child for beating the dog. When the victim told the child's father about what he observed, the child's father became defensive and Sherman started a shoving match with the victim. Sherman then took a swing at the victim who easily pushed Sherman back away from him. At this time, Sherman reached into the open window of the residence and pulled out a pistol and pointed the pistol in the victim's face. The victim's mother and brother were watching from the window and yelled out the window to the victim and the Sherman. They did this to make sure that Sherman knew that people were watching what was going on because they were afraid for the victim's life.

When law enforcement arrived on scene, no gun was found. Sherman did admit to pushing the victim and to taking a swing at the victim. Later after, law enforcement left the scene, information was identified that Sherman and others were observed walking out to a nearby field before and after law enforcement arrived to investigate. It was decided due to the lack of the gun and with the approval of the victim in this file that a misdemeanor option would be offered as a resolution to this file. Sherman accepted the plea agreement.

#### Sentencing Synopsis:

On the charge of Simple Assault, Thomas Sherman received a Ninety day sentence to the county jail. The Court suspended the execution of the Eighty-Eight days of the sentence and required Sherman to serve Two days starting on November 20, 2015. Thomas Sherman must satisfy an unsupervised probation term of Three Hundred and Sixty Days by following the these terms and conditions: Sherman shall obey all laws; Sherman shall not possess or use any weapons; and Sherman shall complete anger management. Sherman shall pay his monetary obligations within Sixty Days, which include a fine in the amount of Seven Hundred and Fifty dollars.

#### Criminal History:

This is file Thomas Sherman was convicted of a misdemeanor offense. Sherman would not have qualified for a suspended imposition of sentence.