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October 28, 2016

Press Release - For Immediate Release

Defendant's Name: Daniel Simons
Age: 65
City and State of residence: Albuquerque, NM
Criminal File Number: 16-133
Violation Date: March 24, 2016
Indictment Date: April 20, 2016
Charges: Ct. 1) Possession of Scheduled 1 or 2 Controlled Substance;
Ct. 2) DUI;
Ct. 3) Possession of Marijuana;
Ct. 4) Ingestion; and
Ct. 5) Possession of Drug Paraphernalia.
Arraignment Date: May 9, 2016
Change of Plea Date: August 29, 2016
Plead to the Following: Ct. 2) DUI, a class 1 misdemeanor;
Ct. 3) Possession of Marijuana, a class 1 misdemeanor;
Ct. 4) Ingestion, a class 1 misdemeanor; and
Ct. 5) Possession of Drug Paraphernalia, a class 2 misdemeanor.
Sentencing Date: August 29, 2016
Arrested for Possession of Drug Paraphernalia;
Law Enforcement Involved: Troopers Stuart Griffith and Cody Jansen
Defense Attorney: Rick Ramstad
Prosecuting Attorney: Alexis Tracy

Case Synopsis:

Troopers picked up Simons for speeding on Interstate 29 around mile marker 32 on March 24, 2016. The trooper could smell raw marijuana coming from the vehicle while standing next to the vehicle. Simons displayed bloodshot eyes and slurred speech resulting in the DUI investigation and arrest along with the marijuana charges. Simons also indicated that he had in possession and consumed marijuana edibles which are not legal in the State of South Dakota.

Original Sentencing Synopsis:

On August 29, 2016, the Court suspended Simons' sentenced to Sixty (60) days in the Union County Jail on the charge of DUI under the conditions that Simons' pay all his obligations by September 29, 2016 and that he have no similar offenses for the next 360 days. Simons was further ordered to pay \$584.00 in fines, court costs, DUI assessment, and prosecution costs. Simons' license was also suspended for thirty (30) days.

As to the charge for Possession of Marijuana, Simons was sentenced to Sixty (60) days in the Union County Jail under the conditions that Simons' pay all his obligations by September 29, 2016 and that he have no similar offenses for the next 300 days. Simons was

ordered to pay \$384.00 in fines and court costs with an additional \$45.00 to the South Dakota Drug Control Fund.

As to the charge for Ingestion, Simons was sentenced to Sixty (60) days in the Union County Jail under the conditions that Simons' pay all his obligations by September 29, 2016 and that he have no similar offenses for the next 300 days. Simons was ordered to pay \$384.00 in fines and court costs.

As to the charge for Possession of Drug Paraphernalia, Simons was sentenced to pay \$266.00 dollars in fines and court costs.

Criminal History:

This is Daniel Simons' first documented experience with the criminal justice system.