
February 24, 2017

Press Release - For Immediate Release

Defendant's Name: Nicholas Bader
Age: 22
City and State of Residence: Sioux Falls, SD
Criminal File Number: 16-211
Incident Date: May 24, 2016
Indictment Date: June 8, 2016
Charges: 1) Possession of Schedule 1 or 2 Controlled Substance (F5)
2) Possession of Marijuana (M1)
3) Possession of Drug Paraphernalia (M2)
4) Speeding (M2)
Arresting Officer: Trooper Stuart Griffith - SDHP
Defense Attorney: Clint Sargent
Prosecutor: Alexis A. Tracy

Arraignment Date: July 11, 2016
Change of Plea Date: December 5, 2016
Convicted of: 1) Possession of Schedule 1 or 2 Controlled Substance, (F5), 22-42-5,
Date of Sentencing: December 5, 2016

Case Synopsis:

On May 24, 2016, Nicholas Bader was stopped for speeding 77 mph in a 65-mph zone. BADER was the driving. observed a SD plated vehicle with only one plate. SD requires a plate on the front and back of every vehicle. The trooper noticed the odor of marijuana. BADER argued with the trooper over the legality of searching the vehicle based upon the trooper being able to smell marijuana. When BADER realized that the trooper was going to search the vehicle, BADER admitted that there was marijuana in the vehicle. Marijuana, drug paraphernalia and THC candy called 'Dew Drops' were found. The THC candy contained a schedule 1 controlled substance. BADER was arrested on the above charges.

Sentencing Synopsis:

On December 5, 2016, the Court addressed the class 5 felony charge in Count 1, for Possession of a Schedule 1 or 2 Controlled Substance. The Court considered the arguments of the State and the Defense, the Court being satisfied that the ends of justice and the best interests of the public as well as the Defendant will be served by the Court exercising judicial clemency and issued a Suspended Imposition of Sentence to BADER. The Court further ordered that BADER be placed on supervised probation for a term of two-years. BADER was ordered to pay the following monetary obligations: \$104 in Court Costs; \$10 in prosecution costs; \$45 in fees to the SD Drug Fund; and a fine in the amount of \$500.

Criminal History:

This is BADER's first career felony conviction. The Court will seal this file if BADER successfully completes supervised probation.