
June 16, 2017

Press Release - For Immediate Release

Defendant's Name: Daniel Dickey
Age: 29
State of residence: Sioux City, IA
Criminal File Number: 17-019
Incident Date: January 6, 2017
Indictment Date: February 2, 2017
Arraignment Hearing: March 6, 2017
Charges Files: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, SDCL 22-42-5, (F5)
Ct. 2: Possession of Marijuana Less than 2 oz., SDCL 22-42-6, (M1), 1/2

Change of Plea Date: April 11, 2017
Date of Sentencing: April 11, 2017
Convicted of: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, SDCL 22-42-5, (F5)

Arresting Officer: Trooper Brian Schultz

Defense Attorney: Jeffrey Myers
Prosecution Attorney: Jerry A. Miller

Case Synopsis:

On January 6, 2017, at approximately 11:03 p.m., South Dakota Highway Patrol was conducting a Sobriety Checkpoint on River Drive in North Sioux City, SD. A vehicle entered driven by the Defendant, Daniel Dickey, entered the checkpoint and was stopped. While speaking with the Defendant, Trooper Cody Jansen detected the odor of raw Marijuana and asked the driver to step out of the vehicle. Trooper Jansen then search the vehicle and found nothing. However, Trooper Stuart Griffith located Marijuana and Methamphetamine on the Defendant. Trooper Brian Schultz then arrested the Driver and took him into custody.

Sentencing Synopsis:

The Court exercised its judicial clemency under SDCL 23A-27-13 and granted Daniel Dickey a suspended imposition of the sentence on Count I, Possession of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5, a class 5 felony. The Court ORDERED that Daniel Dickey shall be placed on **supervised probation** for Four (4) years and must satisfy the following terms and conditions:

1. Daniel Dickey shall be placed under the supervision of the Chief Court Officer, or his representative, for a period of Four (4) years. The Defendant shall sign and comply with all terms of Adult Probation Agreement.
2. Daniel Dickey shall obey all federal, state and local laws.
3. Daniel Dickey shall not possess or use any alcoholic beverages, or use or possess any controlled drugs or illegal substances, including marijuana, while on probation with the

exception of medications lawfully prescribed and ingested according to the doses prescribed by a licensed physician.

4. Daniel Dickey shall waive his/her Fourth Amendment right against warrant-less random search and seizure by his/her Probation Officer and/or any law enforcement officer upon request, to include the Defendant's person, vehicle, and residence. This waiver shall include the Defendant submitting to a UA, breath or other bodily substance upon request. The Defendant shall remain responsible for the costs of all UA's or any other substance tests.
5. Daniel Dickey shall be regularly employed or otherwise attending educational classes approved by Court Services as a condition of probation.
6. Daniel Dickey obtain a Chemical Dependency Evaluation within Thirty (30) days of sentencing and he shall successfully complete any and all treatment and aftercare, and follow all the recommendations of the treatment provider.
7. Court Services shall have the discretion to require the Defendant to participate in the CBISA program, MRT program or other classes and programming as Court Services may direct during the term of probation.
8. Court Services shall have the discretion anytime during the term of probation to require the Defendant to participate in the Drug Patch Program and/or SCRAM or 24/7 Programs.
9. Daniel Dickey shall pay all monetary obligations as Ordered by this Court as a term of satisfying Defendant's probation. The Defendant shall work with his probation officer and establish a minimum monthly payment plan and forward payments to the Clerk of Courts.

Daniel Dickey shall serve a sentence of Two (2) Days in the Union County Jail. It is FURTHER ORDERED that Daniel Dickey shall receive credit for Two (2) days that the Defendant spent incarcerated prior to disposition.

Daniel Dickey shall pay the following amounts: Court Costs of One Hundred Four (\$104.00) Dollars; Prosecution Costs in the amount of Ten (\$10.00) Dollars; Costs payable to (South Dakota Drug Control Fund, 1302 East Highway 14, Suite 5, Pierre, SD 57501) in the amount of Ninety-Nine (\$99.00) Dollars; and a Fine in the amount of Two Hundred (\$200.00) Dollars.

Daniel Dickey shall pay the following amounts: Court Appointed Attorneys Fees in the amount of Three Hundred Five Dollars and Fifty (\$305.50) Cents. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

Criminal History Synopsis:

This is Mr. Dickey first felony conviction. Daniel Dickey qualifies for judicial clemency from the court. The Court granted Daniel Dickey an opportunity to earn judicial clemency by completing a term of supervised probation. If Daniel Dickey completes probation successfully this felony offense may be sealed from her public record.