

December 15, 2017

## Press Release - For Immediate Release

Defendant's Name: Anthony Jones  
Age: 36  
State of residence: Sioux City, IA  
Criminal File Number: 17-219  
Incident Date: May 17, 2017  
Information & Complaint Date: November 20, 2017  
Arraignment Hearing: November 20, 2017  
Charges Filed: Ct1: Grand Theft by Receiving Stolen Property contrary to SDCL  
22-30A-17 & 22-30A-7, a class 5 felony  
Change of Plea Date: November 20, 2017  
Convicted of: Ct1: Grand Theft by Receiving Stolen Property contrary to SDCL  
22-30A-17 & 22-30A-7, a class 5 felony  
Sentencing Date: December 8, 2017  
Arresting Officer: Trooper Brian Schultz - SDHP  
Defense Attorney: Jason Rumpca  
Prosecution Attorney: Jerry A. Miller

### Case Synopsis:

On the 17<sup>th</sup> day of May, 2017, Trooper Brain Schultz, responded to a call from a concerned citizen reporting a north bound vehicle on Interstate 29 that was all over the road. The trooper took the description of the vehicle and found that vehicle at mile marker 15 where the vehicle exited the Interstate. The vehicle was stopped and the driver was identified as Anthony Jones. Jones had issues standing and smelled of alcohol. Jones also told the officers several times that he "I'm drunk". Jones submitted to a PBT that tested his BAC at .292%. He was placed under arrest for DUI. Jones had another issue involving the vehicle that he was driving. Upon further investigation, the Vehicle was reported stolen. As the investigation continued, Jones claimed that the owner had given him permission. However, it was later determined that Jones did not know the owner. This would have been Jones's 2<sup>nd</sup> DUI arrest, however this portion of the case was resolved with a plea on the class 5 felony Grand Theft charge.

### Sentencing Synopsis:

IT IS HEREBY ORDERED that as to the crime of **Ct1: Grand Theft by Receiving Stolen Property contrary to SDCL 22-30A-17 & 22-30A-7, a class 5 felony**, that the Defendant shall serve **3** years in the South Dakota State Penitentiary. It is further ORDERED that Court shall SUSPEND the EXECUTION of the **3** years of the Defendant's sentence upon the Defendant satisfying the following terms and conditions. It is further ORDERED that the Defendant shall be placed on supervised probation for **3** years and must satisfy the following terms and conditions:

IT IS FURTHER ORDERED, that the Defendant shall be imprisoned in the Union County Jail for the term of **99** days, with 59 days credit for time served. The remaining **40** days shall be served as follows:

1. 20 days to be served beginning **June 1, 2018**, at 9:00 o'clock a.m..
2. 30 days to be served beginning **December 1, 2019**, at 9:00 o'clock a.m..

IT IS FURTHER ORDERED that Defendant's Court Services officer may recommend to the Court that any of these jail terms be waived, but unless the court signs a written order waiving any of these jail terms, each of the jail terms shall be served by Defendant.

- The Defendant shall be granted work release, release for education, or release for chemical dependency treatment or aftercare, with Defendant to pay all costs of these releases.
- The Defendant shall be allowed to arrange to serve the jail sentence in another jail facility, in another state or jurisdiction, if the distance to the Union County Jail does not allow for the Defendant to participate in the allowed work release, release for education, or release for chemical dependency treatment or aftercare. The Defendant shall pay all costs of incarceration to that facility.

IT IS FURTHER ORDERED that the Defendant is placed on probation for **3** years. Defendant shall sign the standard probation agreement with court services and shall obey all conditions imposed by court services even though those conditions may not have been specifically set out by the court. Defendant shall execute a wage assignment form if requested to do so by court services.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of **\$104.00**; grand jury transcript fees of **\$0.00**; a Fine of **\$0.00**; Restitution in the amount of **440.00** (to Jose Godoy, P.O. Box 1315, Sioux City, IA 51102; and Prosecution Costs of **\$125.00** to Union County; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that the execution of the sentence is suspended upon the following terms and conditions:

1.  Defendant shall obey all federal, state, tribal and local laws and be a good law-abiding citizen in all respects.
2.  Defendant shall pay all fines, costs, restitution, and attorney's fees as ordered by the court. Defendant shall work out a payment schedule with court services, and if requested by court services, Defendant shall execute a wage assignment form.
3.  Defendant shall not consume nor possess any alcoholic beverages of any kind, and Defendant shall not enter establishments where the sale of alcoholic

beverages is the primary business.

4.  Defendant shall not consume, purchase, possess, or distribute marijuana, nor controlled drugs or substances of any kind, and Defendant shall not be present where such substances are being used. Defendant shall also not possess drug paraphernalia. Verification of any prescribed medication must be provided by Defendant to court services.
5.  Defendant shall submit to urinalysis, breath or blood testing at any time requested to do so by Defendant's court services officer or law enforcement officer and Defendant shall be responsible for the costs of that testing.
6.  Defendant, and Defendant's person, residence, vehicles and personal property, shall be subject to random search and seizure by any court services officer or law enforcement officer upon reasonable suspicion that Defendant is violating any provision of this court's order or of any probation agreement.
7.  Defendant shall obtain a chemical dependency evaluation and comply with the evaluator's and the court's services officer's recommendations for treatment and aftercare.
8.  Throughout the entire period of probation, Defendant shall enroll in and comply with the terms of the 24/7 Sobriety Program as set up through the Union County Sheriff's office or as directed by your Court Service Officer and submit to testing in the form of twice daily PBTs (24/7) program) or by SCRAM equipment, and the Drug Patch, and Defendant shall pay all costs of such programs. Court services may discontinue or restart these programs at their discretion.
9.  Defendant shall enroll in and successfully complete counseling, MRT, etc. as required by court services.
10.  Defendant shall not participate in games of chance or enter establishments where gambling is present.
11.  Defendant shall perform \_\_\_\_\_ hours of community service to be completed by \_\_\_\_\_.
12.  Defendant shall have no contact with the victim, \_\_\_\_\_.
13.  Defendant shall write a letter of apology to the victim, \_\_\_\_\_, which letter shall be approved by court services.

IT IS FURTHER ORDERED, that the Defendant shall pay the Defendant's Court-appointed attorney's fees of \$611.00 directly to the Union County Auditor, (209 East Main Street, ~ Suite 200, Elk Point, SD 57025).

**Criminal History Synopsis:**

The State believes that this file represents is Anthony Jones' fourth career felony conviction.