
November 3, 2017

Press Release - For Immediate Release

Defendant's Name: Justin C. Day
Age: 32
State of residence: MN
Criminal File Number: 16-084
Incident Date: February 29, 2016
Indictment Date: March 30, 2016
Arraignment Hearing: May 23, 2016
Charges Files: Ct.1A: Driving Under the Influence, 32-23-1(1), (M1), 1/2
Ct.1B: Driving Under the Influence, 32-23-1(2), (M1), 1/2
Ct. 2: Driving While Revoked, 32-12-65(1), (M1) 1/2;
Part II Information for Prior Offenses, SDCL 32-23-4, (F6) 2/4
Change of Plea Date: May 23, 2016
Date of Sentencing: September 25, 2017
Convicted of: Ct.1A: Driving Under the Influence, 32-23-1(1), (M1), 1/2; and
Part II Information for Prior Offenses, SDCL 32-23-4, (F6) 2/4
Arresting Officer: Deputy Josh Bridenstine - BPD
Defense Attorney: Jason Rumpca
Prosecution Attorney: Jerry A. Miller

Case Synopsis:

On February 29, 2016, Deputy Joshua Bridenstine was in route from the Sheriff's office at approximately, 12:41 p.m., and noticed a vehicle was in the south ditch at around 330th St. a half mile west of 481st Ave., in Union County. The Deputy noticed that the Driver was asleep and slumped over. After knocking on the Window Several times trying to wake up the Driver, the Driver finally woke up. The Driver is the Defendant, Justin Day. Mr. Day's speech was slurred and he appeared to be confused and disoriented. The Defendant immediately expressed to the Deputy that his license was revoked. While the Deputy was speaking with the Defendant he noticed that he could detect intoxicants emanating from the Defendants person. The Defendant admitted to drinking alcohol and failed the Field Sobriety Testing and his blood came back positive for Alcohol with a .185% by wt.

Sentencing Synopsis:

Justin Day was sentenced at 1:30 p.m., on September 25, 2017. Mr. Day received the a Thirty (30) day sentence to the Union County Jail. He received credit for the Eleven (11) days that he spent incarcerated prior to sentencing. He was further ORDERED serve an additional Nine

(9) days in the Union County Jail to sit out Costs of One Hundred Four (\$104.00) Dollars; and a Fine in the amount of Five Hundred (\$500.00) Dollars.

Justin Day is also ordered to pay a DUI fee in the amount of Fifty (\$50.00) Dollars; Prosecution costs of One Hundred and Ninety (\$90.00) Dollars; and transportation costs in the amount of Two Hundred and Ninety-Three Dollars and Fifty-Eight Cents (\$293.58). The Court ordered that Justin Day must pay all of his obligation on or before he is released from the Union County Jail. Day's Driver's License was revoked for a period of One (1) year after his released from custody.

Criminal History Synopsis:

Justin Day has multiple felony offenses on his record. He is a Habitual Offender with multiple Drug, Theft's, Assaults, and Driving under the Influence arrests on his criminal history. Mr. Day absconded from this court back in June of 2016, that he has charges pending in Bemidji, MN for Possessing a Pistol and Assaulting someone with it, and for a charge of 5th Degree Drugs, which is a felony level offense in MN. Since, absconding from this Court he has new charges in MN and his current charges in Union County in front of this Court, clearly express his disregard for the safety of the public and himself when he is driving with a revoked license while being extremely intoxicated.