
January 13, 2017

Press Release - For Immediate Release

Defendant's Name: Javier Ramos-Lopez
Age: 25
City and State of Residence: Sioux Falls, SD
Criminal File Number: 15-166
Incident Date: March 28, 2015
Indictment Date: May 20, 2015
Arrest Date: November 9, 2015
Change of Plea Date: November 23, 2015
Date of Sentencing: November 23, 2015
Convicted of: Ct. 1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5)
Arresting Officer: Deputy Stephanie Ryan – Union County Sheriff's Office
Court Appointed Attorney: Jeff Myers

Probation Violation: March 22, 2016
Initial Appearance: July 18, 2016
Probation Violation: Failure to obey all laws, and probation terms, and illegal use of drugs.
PV Admission Date: July 18, 2016
Convicted of: Ct. 1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5)
Date of Disposition: September 12, 2016
Defense Attorney: Jeff Myers
Prosecutor: Alexis A. Tracy

Case Synopsis:

On March 28, 2015, Trooper Johnson observed an Iowa plated vehicle on Interstate 29, traveling 84mph in a 75 mph zone. The driver of the vehicle was identified as David Ortega. Ortega was found to have a revoked driver's license. Prior to Deputy Ryan deploying her drug trained canine partner around the vehicle that Ortega was driving, Ortega admitted to the possession marijuana in his vehicle. The following items were found in the Ortega vehicle: two marijuana pipes; a marijuana blunt; lighters; air fresheners; eye drops; and loose marijuana (shake) in side the vehicle. Another passenger in the vehicle identified that the marijuana blunt was being passed around the vehicle prior to the stop. A search warrant was issued for the driver and the two passengers to secure a sample of each person's urine. As to the passenger, Javier Ramos Lopez, who provided a urine sample pursuant to the search warrant, tested positive for marijuana (THC) at a level of 2454 ng/ml and Benzoylcegonine (Cocaine) at a level of 12,068 ng/ml.

Sentencing Synopsis:

On the charge in Count 1, for Ingestion of a Schedule 1 or 2 Controlled Substance, which is a class five felony, the Court sentenced Javier Ramos-Lopez with a suspended five year sentence to

the state penitentiary, under the terms and conditions that Ramos-Lopez successfully complete a term of supervised probation of four years. The Court further ordered that several conditions, which include that Ramos-Lopez, pay all monetary obligations and that Ramos-Lopez serve three days in the county jail. Ramos-Lopez was given credit for the three days that he spent incarcerated prior to sentencing.

Probation Violation Case Synopsis:

LOPEZ failed to attend classes at his ‘thinking for a change’ group on March 22, 2016, and on April 5, 2016. The Jackson Recovery Center reported that LOPEZ has missed two individual sessions and six group sessions since March 10, 2016. LOPEZ has missed half of his scheduled treatment appointments. LOPEZ, during a scheduled probation appointment, admitted to using marijuana on March 26, 2016, and signed a statement of admission for his ongoing drug use. LOPEZ has failed to make regular payments. As of April 25, 2016, LOPEZ has a balance with the Clerk of Courts of Seven Hundred Twenty-Four Dollars and Zero Cents (\$724.00) and has failed to adhere to his established payment plan of Forty Dollars and Zero Cents (\$40.00) per month.

Probation Violation Disposition Synopsis:

On the charge in Count 1, on the probation violation for the original offense of Ingestion of a Schedule 1 or 2 Controlled Substance, which is a class five felony, the Court sentenced Javier Ramos-Lopez with a suspended five-year sentence to the state penitentiary, under the terms and conditions that Ramos-Lopez successfully complete a term of supervised probation of four years. The Court further ordered several conditions, which include that Ramos-Lopez, pay all monetary obligations and that Ramos-Lopez serve 84 days in the county jail with credit for the 84 days that he spent incarcerated prior to his disposition. LOPEZ was ordered to pay the following: \$104 in Court Costs; \$10 in Prosecution Costs; \$250 in unpaid fines; \$45 in fees to the SD Drug Control Fund; and \$568 in total Court-Appointed Attorney Fees.

Criminal History:

This is Javier Ramos-Lopez’s first probation violation on his second career felony conviction.