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February 24, 2017

## Press Release - For Immediate Release

Defendant's Name: Dylan Merrigan  
Age: 24  
City and State of residence: Beresford, SD  
Criminal File Number: 16-256  
Date of Offense: January 16, 2016  
Date of Indictment: June 29, 2016  
Offense(s) Charged: 1) Aggravated Assault, (F3)  
Arraignment: September 26, 2016  
Date of Superseding Information: November 21, 2016  
Superseding Charge: 1) Simple Assault, (M1)  
Change of Plea Date: November 21, 2016  
Convicted of: 1) Simple Assault, (M1)  
Date of Sentencing: November 21, 2016  
Officer: Deputy Josh Bridenstine – Union County Sheriff's Office  
Defense Attorney: Jeff Myers  
Prosecutor: Jerry A. Miller & Jason Ravnsborg

### Case Synopsis:

On January 16, 2016 law enforcement was called to a fight inside the Beresford Liquor Store, Beresford, SD. When law enforcement arrived, Jeramie Adams was identified as the victim of an assault. ADAMS was intoxicated and several teeth were visibly loose, being held inside his mouth only by ADAMS' braces. ADAMS did not want to visit with law enforcement initially. Later, after ADAMS had went home and he was able to understand the amount of damage done by the assault. ADAMS reported that he was in the bar minding his own business, until Dylan Merrigan came up to him and continued to engage ADAMS in conversation. ADAMS recalls attempting to walk away from MERRIGAN, when MERRIGAN put ADAMS into a bear hug from behind. ADAMS broke free of the bear hug, to encounter a barrage blows from MERRIGAN. According to reports, ADAMS never had a chance to respond. ADAMS had multiple surgeries to address the damage done to his teeth. ADAMS is claiming more than \$27,554.57 in dental/medical bills, which is the what is being contested in this case and will be up to the judge to decide. The State agreed to dismiss the felony aggravated assault if the MERRIGAN would agree to plead guilty to the charge instead of a no contest plea. As such, the only issue to be resolved by hearing before the court is the amount of restitution. The victim, ADAMS, asked the State to resolve the case in this fashion in attempt to make him (ADAMS) whole financially with the amount of criminal

punishment to be decided by the circuit court. The State had a previous case in which MERRIGAN assaulted another person in much the same way as ADAMS. In that case MERRIGAN plead guilty to a simple assault as well. The main difference in that case to this case was that MERRIGAN connected with ADAMS causing extensive dental injury and damage to ADAMS.

**Original Sentencing Synopsis:**

On November 21, 2016, the Court addressed the class 1 misdemeanor for a simple assault. The Court considered the arguments of the State and the Defense prior to sentencing MERRIGAN. The Court Ordered that MERRIGAN serve 180-day sentence to the Union County Jail with 180-days suspended. The Court then ordered that MERRIGAN shall be required to be a law abiding citizen for a term of 1 year. And ordered that MERRIGAN shall pay all monetary obligations as a term of the suspended sentence. The Court Further Ordered that MERRIGAN shall pay the following monetary obligations: \$84 in Court Costs; \$350 in fines within 30 days of the court order; and Court-Appointed Attorney Fees of \$598.

As of the date of this press release, the parties have not had the restitution hearing to address the victim's claim of \$27,554.57.

**Criminal History:**

This felony files resulted in a plea agreement in which MERRIGAN was convicted of a misdemeanor simple assault.