
November 24, 2017

Press Release - For Immediate Release

Defendant's Name: Russel S. Bergenske Jr.
Age: 24
City and State of residence: Sioux City, IA
Criminal File Number: 15-132
Violation Date: January 9 – February 10, 2015
Indictment Date: April 22, 2015
Charges: Ct. 1A) Grand Theft by Insufficient Funds Check;
Ct. 1B) Grand Theft by No Account Check
Ct. 2A) First Degree Petty Theft by Insufficient Funds Check
Ct. 2B) First Degree Petty Theft by No Account Check
Arrest Date: May 18, 2015
Change of Plea Date: May 23, 2016
Plead to the Following: Ct. 1A) Grand Theft by Insufficient Funds Check, (F6);
Sentencing Date: May 23, 2016
Defense Attorney: Rachel Rasmussen
Prosecuting Attorney: Alexis Tracy

Probation Violation Date: September of 2016
Probation Violations: Absconding and Failing to pay financial obligations
Initial Appearance Date: October 16, 2017
Admission Date to PV: October 16, 2017
Disposition Date of PV: October 16, 2017
Defense Attorney: Katie Johnson
Prosecution Attorney: Jerry Miller

Original Case Synopsis:

The Union County State's Attorney's Office received a report detailing that Russel Bergenske Jr. wrote twenty-seven checks to the various casinos in Union County totaling \$2,087.29 from January 9, 2015 through February 10, 2015.

Original Sentencing Synopsis:

On May 23, 2016, the Court sentenced Russel Bergenske Jr. to a suspended two-year sentence to the South Dakota State Penitentiary and a term of two years of supervised probation. Bergenske is required to pay the full amount of restitution back to the casinos in addition to his court costs and prosecution costs. Bergenske is further ordered to pay Union County \$571.70 for his court-appointed attorney fees.

1st Probation Violation Synopsis:

Russel Bergenske Jr. was last present for his appointment with his Iowa Court Services Officer on September 7, 2016. Bergenske was a no call no show for his next scheduled appointment on October 5, 2016. On October 11, 2016, Bergenske's Iowa Court Services Officer

sent a letter to Bergenske's last known address rescheduling Bergenske's appointment to October 19, 2016. On October 19, 2016, Bergenske was a no call no show for his appointment.

On October 25, 2016, a home visit was conducted at Defendant's last known address. A female at the residence stated to Bergenske's Iowa Court Services Officer that Bergenske had not lived there for some time and that she believed Bergenske is residing somewhere in South Dakota. Another male who indicated that he resided at the same residence told Bergenske's Iowa Court Services Officer that he didn't know Bergenske and when shown a picture of Bergenske, stated that he did not recognize Bergenske. Bergenske's whereabouts are currently unknown at the time the violation was submitted for consideration of a warrant for his arrest.

1st Probation Disposition Synopsis:

IT IS FURTHER ORDERED that the Defendant can serve One (1) additional day in the Union County Jail at Sixty Dollars (\$60.00) a day to sit out his ordered court costs totaling one Hundred Four (\$104.00) Dollars.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts **previously** ordered to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): Court Costs of One Hundred Four (\$104.00) Dollars; Previous Prosecution Costs in the amount of Ten (\$10.00) Dollars; and Restitution payable to (Serv-a-check, 7 Market Street, P.O. Box 517, Vermillion, SD 57069) in the amount of Two Thousand Eighty-Seven Dollars and Twenty-nine (\$2087.29) Cents.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Auditor (209 East Main Street, ~ Suite 200, Elk Point, SD 57025): **New** Court Appointed Attorneys Fees in the amount of Two Hundred and Sixteen Dollars and Twenty Cents (\$216.20); and **previous** Court Appointed Attorneys Fees in the amount of Five Hundred Seventy-One Dollars and Seventy Cents (\$571.70), thus totaling of Seven Hundred and Eighty-Seven Dollars and Ninety Cents (\$787.90). IT IS FURTHER ORDERED that Union County is awarded a Judgment for total amount of Court-Appointed Attorney Fees.

IT IS FURTHER ORDERED that the Defendant shall remain in the custody of the Union County Sheriff's Office until he can be transported to the Glory House on November 13, 2017.

IT IS ORDERED, ADJUDGED, AND DECREED that the Defendant shall be released from probation unsatisfactory as of when he has completed his Union County Jail sentence.

Criminal History:

This Russel Bergenske Jr.'s had a previous misdemeanor conviction for a crime of dishonesty. This was Bergenske's first probation violation on his 1st career felony offense.