
June 29, 2018

Press Release - For Immediate Release

Defendant's Name: Tanisha Lovegreen
Age: 28
City and State of residence: Sioux City, IA
Criminal File Number: 17-416
Date of Offense: October 30, 2017
Date of Indictment: November 8, 2017
Date of Arraignment: November 20, 2017
Offense(s) Charged: Count 1: Ingestion of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5.1, a class 5 felony
Count 2: Possession of Drug Paraphernalia While in a Motor Vehicle, a violation of SDCL 22-42A-3 & 32-12-52.3, a class 2 misdemeanor
Change of Plea: January 26, 2018
Convicted of: **Count 1: Ingestion of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5.1, a class 5 felony**
Date of Sentencing: May 20, 2018
Officer: Officer Faustin Mahlke – NSCPD
Officer Samantha Close – NSCPD
Defense Attorney: Jeffrey Myers
Prosecutor: Erin Handke

Original Case Synopsis:

On October 30, 2017 Tanisha Lovegreen was arrested in the parking lot of VIP Gaming Lounge in North Sioux City for being in possession of a stolen vehicle. During a search incident to arrest a glass pipe containing residue was discovered in her pocket. Tanisha admitted to smoking methamphetamine a day prior. Tanisha provided a urine sample which tested positive for methamphetamine at 107,563 ng/mL, amphetamine at 10,948 ng/mL and THC-COOH at 18 ng/mL.

Original Sentencing Synopsis:

IT IS HEREBY ORDERED ADJUDGED AND DECREED that pursuant to SDCL § 22-6-11, the sentencing Court set out orally on the record, the aggravating circumstances that exist at the time of sentencing in which the Defendant poses a significant risk to the public and in which requires a departure from presumptive probation. Furthermore, as required by statute, those aggravating circumstances are further memorialized in this dispositional order as:

- i. The Defendant has prior misdemeanor and felony convictions.
- ii. The Defendant has a significant drug addiction past.
- iii. The Defendant failed to complete chemical dependency treatment.

- iv. The Defendant failed to appear at her Court ordered sentencing hearing on March 12, 2018, and an order revoking bond and bench warrant was issued. Therefore,

Due to the above stated issues the Court finds aggravating circumstances exists that causes a significant risk to the public rebutting the presumption of probation.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Defendant shall serve **Five (5)** years in the South Dakota State Penitentiary with the sentence to begin immediately. It is further ORDERED that **Eighteen (18)** months of the Defendant's sentence shall be SUSPENDED upon the following terms and conditions:

1. The Defendant shall obey all federal, state and local laws.
2. The Defendant shall pay all monetary obligations as Ordered by this Court as a term of satisfying Defendant's parole.

IT IS FURTHER ORDERED, that the Defendant shall be credited for the **27** days that the Defendant spent incarcerated prior to sentencing.

IT IS FURTHER ORDERED that the Defendant shall be imprisoned in the South Dakota State Penitentiary for the term ordered by the Court, there to be kept, fed, and clothed according to the rules and regulation governing that institution.

IT IS FURTHER ORDERED that Defendant shall abide by the rules and regulations of the board of pardons and paroles, shall sign the required parole agreements, and shall obey all conditions imposed by them even though the conditions may not have been specifically set out by the court.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of **\$104.00**; grand jury transcript fees of **\$10.00**; a DUI surcharge of **\$0**; a Domestic Violence surcharge of **\$0.00**; a Fine of **\$0.00**; testing fees of **\$45.00** to the South Dakota Drug Control Fund; and Blood Alcohol Fees of **\$0** to the Union County as prosecution costs; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED, that the Defendant shall pay her Court-appointed attorney's fees of **\$752.00** directly to the Union County Auditor, (209 East Main Street, ~ Suite 200, Elk Point, SD 57025). It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

Criminal History:

This is Tanisha Lovegreen's second felony conviction. She was previously convicted of a felony offense Forgery and she has had three prior misdemeanor drug convictions, one in Montana and two in Iowa.