
January 26, 2018

Press Release - For Immediate Release

Defendant's Name: Robert Sanchez
Age: 28
City and State of residence: Minooka, IL
Criminal File Number: 17-405
Incident Date: October 24, 2017
Crimes Charges: Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5) 5/10
Ct. 2: Possession of Marijuana less than 2 oz., SDCL 22-42-6, (M1) 1/2
Ct. 3: Ingestion, SDCL 22-42-15, (M1) 1/2
Ct. 4: Possession of Drug Paraphernalia While in a Motor Vehicle, SDCL 22-42A-3 & 32-12-52.3, (M2) 30/500
Indictment Date: November 29, 2017
Arraignment Date: December 4, 2017
Change of Plea Date: December 4, 2017
Convicted of: Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5) 5/10
Sentencing Date: December 8, 2017
Defense Attorney: Jeff Myers
Prosecution Attorney: Jerry Miller

Case Synopsis:

On October 24, 2017, SD GF&P Wildlife Conservation Officer Josh Vanden Bosch meet with Robert Sanchez in Union County at a gas station in Beresford, SD to further an investigation that he was working on out of the Davidson County area. WCO Vanden Bosch conducted a game inspection on the vehicle that Sanchez arrived in as Sanchez indicated that he had participated in road hunting on his way to meet with WCO Vanden Bosch. It was discovered that Sanchez had a medical marijuana card out of the State of Illinois. Sanchez admitted that he had a pipe in his possession and that he had smoke marijuana in Irene, SD earlier the weekend prior. Sanchez produced a marijuana pipe that contained marijuana residue. Sanchez consented to a search of his vehicle, which resulted in law enforcement finding a glass pipe in the driver's door; a blue plastic container with marijuana inside; and a vape pen with marijuana wax inside, as well as a green container identifying the marijuana wax and the THC content as a product typically seen from states that have legalized marijuana. Sanchez was arrested and transported to the Union County Jail.

Sentencing Synopsis:

The Court being satisfied that the ends of justice and the best interests of the public as well as the Defendant will be served thereby and the Defendant having pled guilty to the

crime of **Ct. 1: Possession of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5** which is not punishable by life imprisonment and the Court being satisfied that the Defendant has never before having been convicted of a crime which would constitute a felony in this state, this Court elects to exercise its judicial clemency under SDCL §23A-27-13, and with the consent of the Defendant; therefore,

IT IS HEREBY ORDERED, as to **Ct. 1: Possession of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5, a class 5 felony**, and that the Defendant shall be imprisoned in the Union County Jail for the term of **60** days, with 0 days credit for time served. The remaining **60** days shall be served as follows: **30** days to be served beginning **May 1, 2018**, at 9:00 o'clock a.m.; **30** days to be served beginning **September 1, 2018**, at 9:00 o'clock a.m. Defendant's Court Services officer may recommend to the Court that any of these jail terms be waived, but unless the court signs a written order waiving any of these jail terms, each of the jail terms shall be served by Defendant.

IT IS FURTHER ORDERED that the Defendant is placed on probation for a term of **2 (two)** years. Defendant shall sign the standard probation agreement with court services and shall obey all conditions imposed by court services even though those conditions may not have been specifically set out by the court. Defendant shall execute a wage assignment form if requested to do so by court services.

IT IS FURTHER ORDERED that the Defendant's supervised probation shall be transferred to the Defendant's home jurisdiction in the State of Illinois.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of **\$104.00**; grand jury transcript fees of **\$10.00**; Fine of **\$500.00**; and UA fees of **\$0.00** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that the imposition of sentence is suspended upon the following terms and conditions [checked boxes]:

1. Defendant shall obey all federal, state, tribal and local laws and be a good law-abiding citizen in all respects.
2. Defendant shall pay all fines, costs, restitution, and attorney's fees as ordered by the court. Defendant shall work out a payment schedule with court services, and if requested by court services, Defendant shall execute a wage assignment form.
3. Defendant shall not consume nor possess any alcoholic beverages of any kind, and Defendant shall not enter establishments where the sale of alcoholic

- beverages is the primary business.
4. Defendant shall not consume, purchase, possess, or distribute marijuana, nor controlled drugs or substances of any kind, and Defendant shall not be present where such substances are being used. Defendant shall also not possess drug paraphernalia. Verification of any prescribed medication must be provided by Defendant to court services.
5. Defendant shall submit to urinalysis, breath or blood testing at any time requested to do so by Defendant's court services officer or law enforcement officer and Defendant shall be responsible for the costs of that testing.
6. Defendant, and Defendant's person, residence, vehicles and personal property, shall be subject to random search and seizure by any court services officer or law enforcement officer upon reasonable suspicion that Defendant is violating any provision of this court's order or of any probation agreement.
7. Defendant shall obtain a chemical dependency evaluation and comply with the evaluator's and the court's services officer's recommendations for treatment and aftercare.
8. Throughout the entire period of probation, Defendant shall enroll in and comply with the terms of the 24/7 Sobriety Program as set up through the Union County Sheriff's office or other approved South Dakota county sheriff's office and submit to testing in the form of twice daily PBTs or by SCRAM equipment, and the Drug Patch, and Defendant shall pay all costs of such programs. Court services may discontinue or restart these programs at their discretion.
9. Defendant shall enroll in and successfully complete counseling , MRT, anger management, etc. as required by court services.
10. Defendant shall perform _____ hours of community service to be completed by _____.
11. Defendant shall have no contact with the victim, _____.
12. Defendant shall write a letter of apology to the victim, _____, which letter shall be approved by court services.

IT IS FURTHER ORDERED, that the Defendant shall pay his/her Court-appointed attorney's fees directly to the Union County Auditor, (209 East Main Street, ~ Suite 200, Elk Point, SD 57025): Court Appointed Attorneys Fees in the amount of **(\$258.50)**. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

IT IS FURTHER ORDERED, that the Defendant shall pay all financial obligations ordered by this Court within **1 (one) year** from the date of sentencing which will be on or before 5:00 p.m. on December 7, 2018.

Criminal History:

This is Robert Sanchez's first felony file that he is addressing with the criminal justice system. If Mr. Sanchez is successful on probation, this file will be sealed from the public's ability to view Mr. Sanchez record.