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March 30, 2018

## Press Release - For Immediate Release

Defendant's Name: Lamberto Villarreal  
Age: 28  
State of residence: San Antonio, TX  
Criminal File Number: 17-341  
Incident Date: July 19, 2017  
Indictment Date: August 9, 2017  
Arraignment Hearing: September 11, 2017  
Charges Files: Ct 1: Commission of Felony w/Firearm, SDCL 22-14-12, a class 2 felony;  
Ct 2: Possession of a Schedule I or II Controlled Substance w/Intent to Distribute, SDCL 22-42-2, a class 4 felony;  
Ct 3: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony;  
Ct 4: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony;  
Ct 5: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony;  
Ct 6: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony;  
Ct 7: Possession of a Schedule III or IV Controlled Substance, SDCL 22-42-5, a class 6 felony;  
Ct 8: Grand Theft by Receiving or Retaining Stolen Property, SDCL 22-30A-17 & 22-30A-7, a class 6 felony; and  
Ct 9: Possession of Firearm w/Altered Serial number, SDCL 22-14-5, a class 6 felony.

Change of Plea Date: November 20, 2017  
Date of Sentencing: January 26, 2017  
Convicted of: Ct 2: Possession of a Schedule I or II Controlled Substance w/Intent to Distribute, SDCL 22-42-2, a class 4 felony;  
Ct 3: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony;  
Ct 8: Grand Theft by Receiving or Retaining Stolen Property, SDCL 22-30A-17 & 22-30A-7, a class 6 felony; and  
Ct 9: Possession of Firearm w/Altered Serial number, SDCL 22-14-5, a class 6 felony.

Arresting Officer: Trooper Deanna Johnson  
Defense Attorney: Sam Nelson  
Prosecution Attorney: Jason Ravensborg,

### Case Synopsis:

On July 19, 2017, Trooper Deanna Johnson of the South Dakota Highway Patrol, stopped a vehicle driven by Lamberto Villarreal, and a passenger in the Vehicle was the defendant, Monica Padilla. The Vehicle was stopped for going 50 mph in a 45-mph construction zone on I-29 near mm 31. A tip came in from the State of Minnesota about possible drug trafficking with this vehicle. Trooper Heuertz then arrived on scene and deployed his Police Service Dog. The dog indicated that there were drugs in the vehicle. Ms. Padilla indicated where the drugs were located in the vehicle. A search of the vehicle revealed 6.7 grams of Methamphetamine; 3.8 ounces of Heroin; a baggie containing Xanax and Oxycodone; a pipe with marijuana residue; a meth pipe with residue; and numerous other items of Drug Paraphernalia. Also included in the vehicle were four hand guns, one gun had the serial number scratched off; and another came back as stolen. Ms. Padilla was the registered owner of the vehicle. Statements given to law enforcement as well as conversation recorded over the Jail Phone system, revealed that Villarreal, had a weapon in his hand as he was being pulled over. Villarreal, placed the weapon in the back after contemplating shooting his way out of this situation. Villarreal also made comments about him being a dealer of illegal street drugs and advised individuals in Texas to secure his weapons, drugs and his computer that had a lot of his records on it.

**Sentencing Synopsis:**

AS TO THE CHARGE Ct 2: Possession of a Schedule I or II Controlled Substance w/Intent to Distribute, SDCL 22-42-2, a class 4 felony; IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Defendant is sentenced to ten (10) years in the state penitentiary with five (5) years suspended. The Defendant shall be given credit for time served from July 19, 2017 in the Union County jail. It is further ordered that the Court imposes the following terms of sentence:

1. 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 regulations governing that institution.
2. The Defendant shall obey all federal, state, tribal and local laws and be a good law-abiding citizen in all respects.
3. The 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.
4. The 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 through the conditions may not have been specifically set out by the court.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): A fine in the amount of One-Thousand Dollars (\$1,000.00); Court Costs of One Hundred-four (\$104.00) Dollars; and prosecution costs of \$276.50 (\$167.50 for a grand jury transcript; \$10.00 for grand jury fee; \$45.00 for a UA and \$54.00 for the testing fee for drug residue for a coffee grinder) to Union County.

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): Court Appointed Attorneys Fees in the amount of One-Thousand Seven Hundred and Sixty-Two Dollars and Fifty Cents (\$1,762.50). It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

AS TO THE CHARGE Count 3: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a Class 5 felony; IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Defendant is sentenced to five (5) years in the state penitentiary. It is further ordered that the Court imposes the following terms of sentence:

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): A fine in the amount of One-Thousand Dollars (\$1,000.00); Court Costs of One Hundred-four (\$104.00) Dollars.

AS TO THE CHARGE Ct. 8: Grand Theft by Receiving or Retaining Stolen Property, SDCL 22-30A-17 & 22-30A-7, a class 6 felony, IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Defendant is sentenced to two (2) years in the state penitentiary. It is further ordered that the Court imposes the following terms of sentence:

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): A fine in the amount of One-Thousand Dollars (\$1,000.00); Court Costs of One Hundred-four (\$104.00) Dollars.

AS TO THE CHARGE Ct. 9: Possession of Firearm w/Altered Serial number, SDCL 22-14-5, a class 6 felony, IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Defendant is sentenced to two (2) years in the state penitentiary. It is further ordered that the Court imposes the following terms of sentence:

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): A fine in the amount of One-Thousand Dollars (\$1,000.00); Court Costs of One Hundred-four (\$104.00) Dollars.

IT IS FURTHER ORDERED that the Defendant's sentences in Ct. 3, Ct. 8, and Ct. 9 shall run concurrent the Defendant's sentence in Ct. 2 and to each other.

IT IS FURTHER ORDERED that the Court reserves the right to amend any or all of the terms of this Order at any time.

**Criminal History Synopsis:**

Lamberto Villarreal's criminal record includes misdemeanor weapon and assault convictions and one felony drug possession conviction. In this case, Villarreal received four additional felony convictions here in Union County SD (see above). This is Villarreal's second – fifth felony convictions. Villarreal was sentenced to the penitentiary.