

2019 ANNUAL REPORT



Ronald A. Parsons, Jr.
United States Attorney

United States Attorney's Office
District of South Dakota

Annual Message from U.S. Attorney Ron Parsons

It is an honor to serve as the 42nd United States Attorney for the District of South Dakota.

One of the things I am most proud to report this year is the continuing and extraordinary level of cooperation between Federal, State, Tribal, and Local law enforcement and prosecution agencies fighting crime in South Dakota. Cooperative investigation and prosecution is a guiding tenet of our office's philosophy and one of the reasons the law enforcement community throughout South Dakota historically has been so successful.



My experience has been that federal, tribal, state, and local law enforcement work best when talent, information, and resources are able to be pooled. The year 2019 saw several inspiring examples of this principle. The first consisted of the ongoing Project Safe Neighborhoods Task Force in Rapid City. This group is comprised of agents from the ATF, Rapid City Police Department, Pennington County Sheriff's Office, South Dakota DCI, DEA, the U.S. Marshal's Service, and the South Dakota Highway Patrol. In 2019 alone, the task force seized over 350 illegally possessed or used firearms from criminals in Western South Dakota resulting in over 100 federal gun charge indictments filed.

Another example this past year was the extraordinary success of three task forces across the State battling the scourge of methamphetamine and opioids in our cities, in our rural areas, and on the nine Indian reservations in the state. The task forces are comprised of officers and agents from multiple state and local law enforcement units, federal agencies, and tribal law enforcement departments. Together, these three inter-governmental task forces brought countless drug cases to our office resulting in a surge of new federal indictments against criminals pushing illegal narcotics in Indian Country and around the State.

Still, more needs to be done. In particular, we need more funding to bring more agents, cops, and deputy sheriffs to our communities, providing deterrence and interdicting crime, including additional trained criminal investigators. Bridging divides between governmental entities and agencies is a necessity where law enforcement resources and personnel are finite and limited over geographically large areas.

In tribal and rural areas, one way to quickly achieve this is cross-deputization and mutual aid agreements between law enforcement offices. When agreements are reached, great success has been realized. A case in point has been a significant agreement, expressed in a Memorandum of Understanding between the Crow Creek Sioux Tribe and South Dakota Highway Patrol, whereby the SDHP assists the CCST police department in patrolling the reservation. In South Dakota, this was both a historic development and one that can serve as a shining example of what good might come from other such agreements in the future.

We are one people – and each of us is entitled to the benefits of public safety under the rule of law. The U.S. Attorney's Office is dedicated to increasing communication and cooperation between all levels of federal, state, tribal, and local law enforcement. It is my hope that we all will continue to explore and try new ways to increase government-to-government collaboration and make every part of South Dakota an even safer place to live.

I have confidence that, with your help, we will succeed.

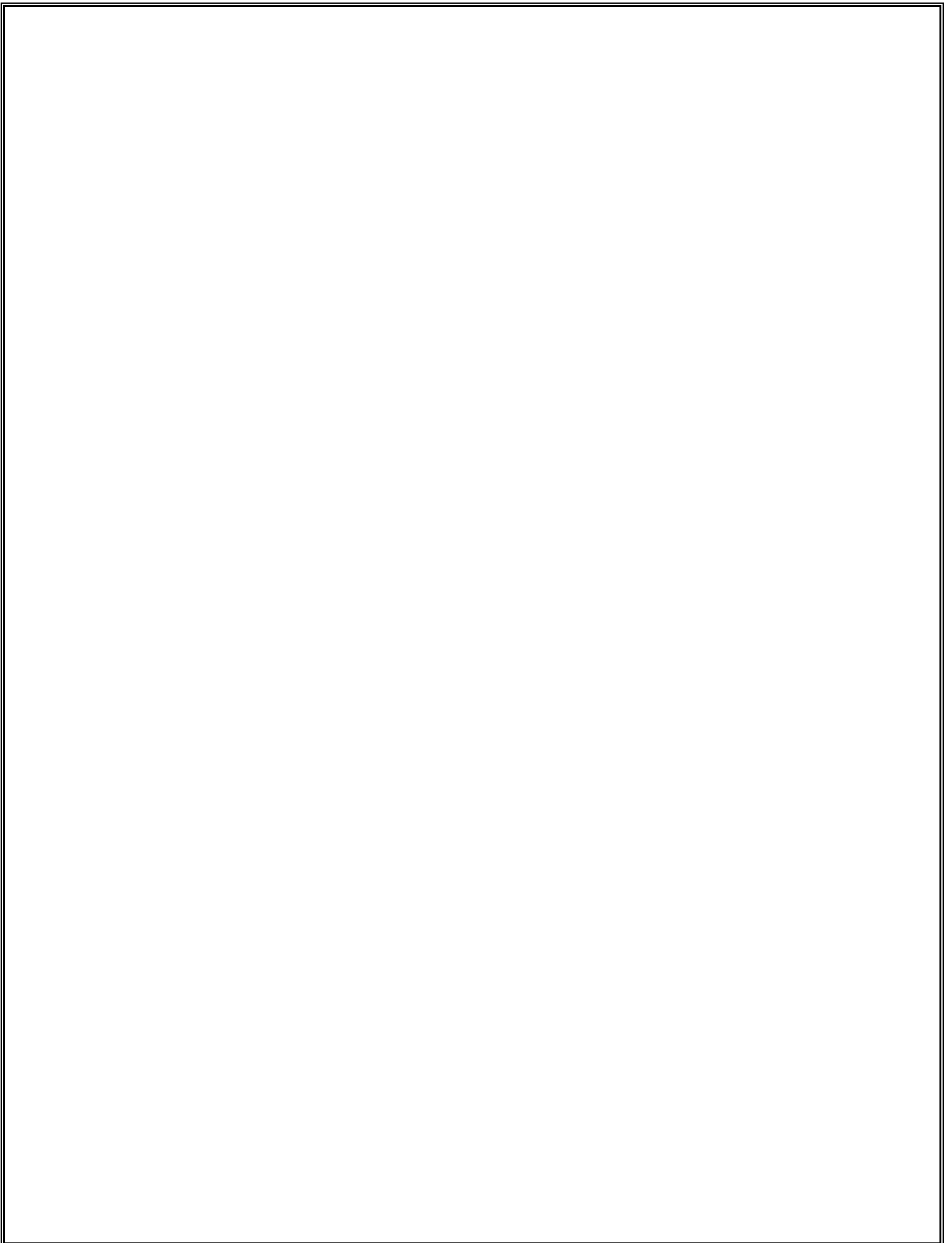
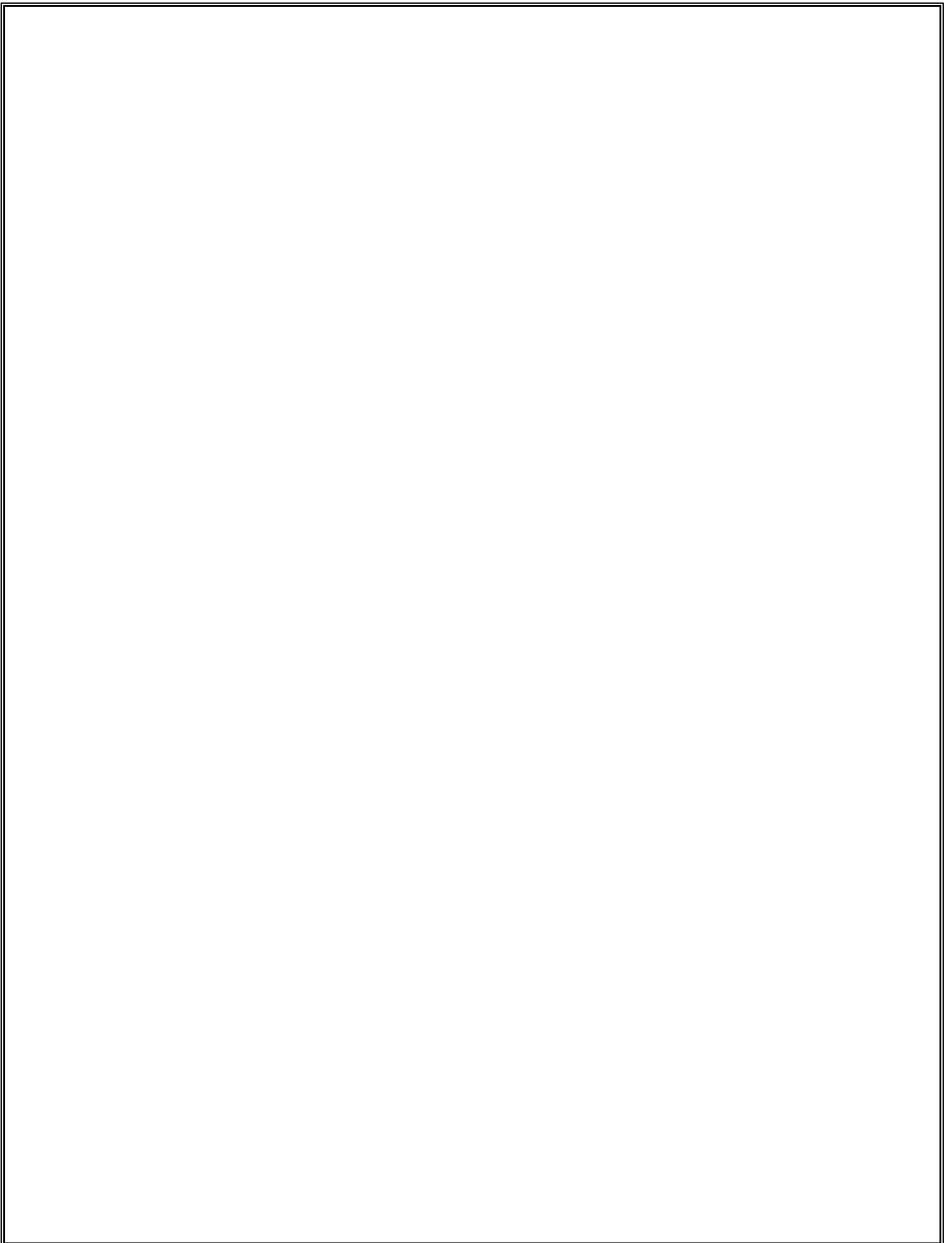


TABLE OF CONTENTS

Introduction.....	1
U.S. Attorneys for the District of South Dakota.....	2
Year in Review.....	3
Criminal Division.....	11
Statistical Highlights.....	12
General Federal Crimes – Significant Cases.....	18
Statistical Highlights Indian Country.....	31
South Dakota Reservations – Significant cases.....	36
Pine Ridge.....	36
Rosebud.....	39
Standing Rock.....	42
Cheyenne River.....	44
Lower Brule.....	47
Crow Creek.....	49
Sisseton-Wahpeton.....	51
Yankton.....	52
Civil Division.....	54
Financial Litigation Unit.....	65
Appellate Division.....	67
Administrative Division.....	73
Victim Rights and Advocacy.....	74
Law Enforcement Line of Duty Deaths in South Dakota.....	76
Contact Information.....	80





INTRODUCTION

In 1789, the U.S. Congress passed the Judiciary Act which, among other things, directed the President to appoint an attorney in each federal judicial district to represent the interests of the United States. In fact, U.S. Attorneys were independent of the Attorney General and did not come under the Attorney General's supervision and authority until 1870

when the U.S. Department of Justice was created.

South Dakota has had 42 U.S. Attorneys dating back to 1861 when William Gleason served as the first U.S. Attorney for the Dakota Territory. U.S. Attorneys began serving solely for the District of South Dakota in 1889 when Dakota Territory was divided into individual states and the District was created.

U.S. Attorneys are nominated by the President and must be confirmed by the U.S. Senate. Following confirmation, U.S. Attorneys serve at the will of the President for a term of four years, which may be renewed.

U.S. Attorneys are the chief federal law enforcement officers in each federal district. They ensure the fair and impartial enforcement of federal criminal laws and also represent the U.S. government in civil claims brought by and against the government. In 1935, Supreme Court Justice George Sutherland described the role of the U.S. Attorney in the following terms:

The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all, and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the two-fold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor -- indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.

Berger v. United States, 295 U.S. 78, 88 (1935).

Addressing the role of federal prosecutors at the Second Annual Conference of United States Attorneys held at the Department of Justice on April 1, 1940, Attorney General Robert Jackson famously remarked that "the citizen's safety lies in the prosecutor who tempers zeal with human kindness, who seeks truth and not victims, who serves the law and not factional purposes, and who approaches his task with humility."

**UNITED STATES ATTORNEYS
FOR THE
DISTRICT OF SOUTH DAKOTA**

WILLIAME. GLEASON 1861	HENRY M. VALE 1861	JAMES CHRISTIAN 1865	GEORGE H. HAND 1866	WARREN GOWLES 1869	WILLIAM POUND 1872
HUGH J. CAMPBELL 1877	JOHN E. CARLAND 1885	WILLIAME. PURCELL 1888	JOHN MURPHY 1889	WILLIAME. STERLING 1890	EZRA W. MILLER 1893
JAMES D. EILLIOT 1897	WILLIAM G. PORTER 1907	EDWARDE. WAGNER 1907	CHARLES J. MORRIS 1913	ROBERT P. STEWART 1913	E.W. FISKE 1919
S. WESLEY CLARK 1921	OLAF EIDEM 1926	GEORGE PHILIP 1934	LEO P. FLYNN 1947	CLINTON G. RICHARDS 1953	HAROLD C. DOYLE 1961
WILLIAM F. CLAYTON 1969	DAVID V. VROOMAN 1977	ROBERT D. HIARING* 1978	TERRY L. PECHOTA 1979	JEFFREY L. VIKEN* 1981	PHILIP N. HOGEN 1981
KEVIN V. SCHIEFFER* 1991	TED L. MCBRIDE* 1993	KAREN E. SCHREIER 1993	TED L. MCBRIDE* 1999	MICHELLE G. TAPKEN* 2001	SCOTT A. ABDALLAH 2001
MICHELLE G. TAPKEN* 2002	JAMES E. MCMAHON 2002	MICHELLE G. TAPKEN* 2005	STEVEN K. MULLINS 2005	MARTY J. JACKLEY 2006	DENNIS R. HOLMES* 2009
BRENDAN V. JOHNSON 2009	RANDOLPH J. SEILER* 2015	DENNIS R. HOLMES* 2018	RONALD A. PARSONS, JR. 2018		

*Interim Appointment

YEAR IN REVIEW

U.S. Attorney's Office Commemorates Women's History Month

In March, in observance of Women's History Month, the U.S. Attorney's Office was pleased to honor the first and only woman to serve as the Presidentially-appointed U.S. Attorney for the District of South Dakota, the Honorable Karen E. Schreier.

The first U.S. Attorneys were appointed in 1789 and it was not until 129 years later that the first woman became a U.S. Attorney, whose name was Annette Abbott Adams.

In 1993, Karen E. Schreier was appointed by President Clinton and confirmed by the U.S. Senate as the 36th U.S. Attorney for the District of South Dakota. She served in that capacity for six years until 1999, when she was appointed by President Clinton and confirmed by the Senate as the first and only woman to serve as a U.S. District Judge in the District of South Dakota.

Judge Schreier presided as Chief Judge of the District of South Dakota from 2006 to 2013, and continues to serve as the principal U.S. District Judge for the Southern Division.



The Honorable Karen E. Schreier,
U.S. District Judge

Argus Leader Media Supreme Court Argument

In April, the United States Supreme Court heard argument in a South Dakota Freedom of Information Act (FOIA) case that had been in active litigation since 2011. This case centered around the Argus Leader's FOIA request to the U.S. Department of Agriculture (USDA) for store-level SNAP data, essentially a store-by-store breakdown of how much each grocery store in a particular locale had received from the SNAP program (what used to be known as "food stamps"). USDA took the position that such information was protected from disclosure because it met FOIA exemptions. The Argus Leader newspaper took the matter to federal court.



AUSA Stephanie Bengford and her daughter, Elyce,
at the United States Supreme Court.

The litigation involved all levels of the judicial branch: the district court, the U.S. Court of Appeals for the Eighth Circuit, and finally, the Supreme Court. U.S. Attorney Ron Parsons and AUSA Stephanie Bengford attended the Supreme Court argument in Washington, D.C., on April 22, 2019. Immediately before the argument, AUSA Bengford was sworn in by Chief Justice John Roberts to the United States Supreme Court Bar. Ultimately, the government's position prevailed in the final decision issued by the Supreme Court later that year.

South Dakota Tribal Methamphetamine Summit

In May, federal, state, and tribal leaders gathered in Pierre to discuss law enforcement and health strategies for the methamphetamine epidemic at the Tribe-State Meth Summit. The summit was organized by South Dakota Secretary of Tribal Relations Dave Flute, who previously served as Chairman of the Sisseton Wahpeton Oyate Tribe.

South Dakota Governor Kristi Noem opened the summit with an address. Topics included meth prevention, enforcement, and treatment. U.S. Attorney Ron Parsons, Supervisory AUSA Tim Maher, and Tribal Liaison/AUSA Troy Morley made a presentation on federal efforts to combat the meth epidemic in Indian Country and across the state.



FBI Special Agent Oscar Ramirez, AUSA Troy Morley, U.S. Attorney Parsons, and Supervisory AUSA Tim Maher.

AUSA Troy Morley Honored with Director's Award at Main Justice

In June, Assistant U.S. Attorney Troy R. Morley was one of only 172 members of the Department of Justice nationwide recognized at the 35th Director's Awards Ceremony in Washington D.C. The District of South Dakota was one of 31 U.S. districts represented at the ceremony, which was held in the Great Hall at the Robert F. Kennedy Department of Justice Building in Washington, D.C. U.S. Attorney Ron Parsons attended the ceremony with AUSA Morley.



EOUSA Director Jim Crowell, Deputy Attorney General Jeffrey Rosen, AUSA Troy Morley, and U.S. Attorney Parsons.

AUSA Morley was awarded the Director's Award for Superior Performance in Indian Country. As an enrolled member of the Turtle Mountain Band of Chippewa and Tribal Liaison for the District of South Dakota, his outreach to tribal communities has been pivotal in strengthening the District's ties with tribal law enforcement officers, tribal courts, tribal social service agencies, and tribal decision makers.

Federal Public Defender Neil Fulton Named Dean of USD Law School



In June, Neil Fulton assumed the position of Dean of the University of South Dakota School of Law in Vermillion. In 2010, Neil Fulton was appointed by the U.S. Court of Appeals for the Eight Circuit as the Federal Public Defender for the Districts of South Dakota and North Dakota. In this role, he oversaw a staff of 45 lawyers, investigators, and support staff in five offices across both states. The Miller, South Dakota, native received his law degree from the University of Minnesota School of Law in 1997.

Advisory Subcommittee on Native American Issues: U.S. Attorney Parsons Meeting with Attorney General Barr

In June, Attorney General William P. Barr's Advisory Subcommittee on Native American Issues (NAIS) convened during the U.S. Attorney's National Conference in Washington, D.C., to discuss a wide range of justice issues affecting Indian country. U.S. Attorney Ron Parsons, who heads the NAIS Law Enforcement Resources Working Group, was in attendance. The group was hosted in the Indian Treaty Room at the White House.



NAIS Meeting in Indian Treaty Room at the White House

The NAIS consists of the approximately 53 U.S. Attorneys serving in districts that include Indian Country or one or more federally recognized tribes. The NAIS focuses exclusively on Indian Country issues and makes policy recommendations to the Attorney General regarding public safety and legal issues that impact tribal communities. The NAIS is the longest-standing subcommittee to the Attorney General's Advisory Committee and helps develop, shape, and otherwise implement justice policies affecting Native Americans and Alaska Natives.

SAUSA Tamara Nash Named One of the ABA's Top 40 Young Lawyers



Special Assistant U.S. Attorney Tamara Nash

In July, Special Assistant U.S. Attorney Tamara Nash, who is also a Deputy Attorney General for the State of South Dakota, was named as one of the American Bar Association's Top 40 young lawyers. The "On The Rise" Award program provides national recognition for ABA young lawyer members who exemplify a broad range of high achievement, innovation, vision, leadership, and legal and community service.

SAUSA Nash represents both the federal and state arms of prosecution, and works with the Attorney General's Office and the U.S. Attorney's Office to prosecute firearm and high intensity drug cases. She maintains her commitment to public service by remaining active in the legal community. In the South Dakota State Bar, she serves on several committees including the State Bar Law School Committee and Committee for Diversity and Inclusion. SAUSA Nash also has served as past President of the South Dakota State Bar Young Lawyers Section. She also is active within the American Bar Association Young Lawyers Division (YLD). This year, she will serve as the Administrative Director and will sit on the YLD's Council and Cabinet.

AUSA Michael Elmore Honored as Part of Purple Heart Recognition Day

August 7, 2019, was proclaimed "Purple Heart Recognition Day" in South Dakota to honor those men and women who are recipients of the Purple Heart Medal. Our nation's oldest military medal, the Purple Heart is awarded to those men and women who have been wounded or killed as the result of enemy action while serving in the U.S. Armed Forces. The U.S. Attorney's Office honored Michael J. Elmore, Assistant U.S. Attorney for the District of South Dakota, who was awarded the Purple Heart while serving overseas in the U.S. Marine Corps.

From 2007 to 2011, AUSA Elmore was in the U.S. Marine Corps, serving as a scout sniper, conducting operations as part of combat reconnaissance and surveillance teams. He had three deployments in support of the Global War on Terror, including to Southeast Asia, Africa, and Afghanistan. In 2010, he was awarded the Purple Heart as a result of injuries sustained in support of Operation Enduring Freedom in Helmand Province, Afghanistan.

In 2018, AUSA Elmore joined the U.S. Attorney's Office for the District of South Dakota, and is assigned to work cases arising on the Rosebud Sioux Indian Reservation.



AUSA Elmore receiving government service recognition from U.S. Attorney Parsons.

Victim-Witness Indian Country Conference

In August, the Districts of South Dakota and North Dakota jointly held the 2019 Indian county conference, “Offering Hope to Victims in the Spirit of Justice,” in Rapid City. The two-day conference was organized by Marlys Big Eagle, Victim-Witness Coordinator for the District of South Dakota. The conference featured a number of speakers on a variety of topics including Resources for Victims of Gun Violence; Victimization Issues with the Two Spirited Community; Bringing Men Back to Our Traditional Roles to Protect and Honor Our Communities; Weaving a Braid of Support for Native Survivors of Domestic Violence and Dating Violence; Empowering Children in Shelter - Woksape Un Kpaso Pi; and Crisis Response in Indian Country and OVC’s Tribal Resource Tool.

The program also included the story of survival from a male victim of human trafficking. In addition, the conference featured addresses by U.S. District Judge Karen E. Schreier, U.S. Attorney Drew Wrigley (District of North Dakota), and U.S. Attorney Parsons.

The goal of the conference was to address the unique needs of crime victims in Indian country and to provide culturally appropriate resources for service providers working with victims of crime in Indian country or with the Native American population in the Dakotas.



U.S. Attorney Drew Wrigley (N.D.) and U.S. Attorney Parsons (S.D.) at the “Offering Hope to Victims in the Spirit of Justice” conference.

Swearing in of U.S. Circuit Judge Jonathan Kobes



U.S. Circuit Judge Kobes being sworn in by U.S. Circuit Judge Wollman

In August, Jonathan Kobes, nominated by the President and confirmed by the Senate to serve on the U.S. Court of Appeals for the Eighth Circuit, was sworn in by the Honorable Roger Wollman, a Senior U.S. Circuit Judge and former Chief Judge of the U.S. Court of Appeals for the Eighth Circuit, at a ceremony attended by all of the Eighth Circuit Judges at the Old Courthouse Museum in Sioux Falls. Earlier in his career, Judge Kobes served as an Assistant U.S. Attorney in our Rapid City office.

Operation Fall Clean-Up

In September, a press conference was held in Rapid City, where U.S. Attorney Ron Parsons and U.S. Marshal Dan Mosteller announced a multi-agency law enforcement operation that resulted in dozens of arrests in the Rapid City area as part of the District of South Dakota's renewed Project Safe Neighborhoods program. "Operation Fall Clean Up" began in the early morning of Monday, September 16, 2019, and continued until the afternoon of Friday, September 20, 2019. By the end of the operation, deputy marshals and other law enforcement officers on the fugitive task force teams arrested 67 targeted fugitives with state or federal felony warrants for violent crimes, drugs, and sex offenses. And an additional 10 felony warrants were cleared for collateral subjects who were not initially targeted by the operation. In all 77 federal and state felony warrants were cleared.



U.S. Attorney Parsons and law enforcement officials at press conference for Operation Fall Clean Up.

The U.S. Marshals worked in collaboration with law enforcement officers from the Bureau of Alcohol, Tobacco and Firearms (ATF), Drug Enforcement Administration, Rapid City Police Department, Pennington County Sheriff's Office, South Dakota Highway Patrol, Oglala Sioux Tribe Department of Public Safety, Bureau of Indian Affairs, National Park Service, and the South Dakota Division of Criminal Investigation to track down and apprehend some of the Rapid City area's most violent and persistent offenders with outstanding state and federal felony warrants. The objective, as designated by the U.S. Marshals Service, was to clear as many outstanding warrants for violent offenses from federal and state rolls as possible in order to make a positive impact on public safety for the entire Black Hills region.

At the beginning of 2018, U.S. Attorney Parsons designated Rapid City and the surrounding communities as the initial target area for the Department of Justice's reinvigoration of Project Safe Neighborhoods in the District of South Dakota. Since that time, federal prosecutions of gun-related crimes in the District of South Dakota increased by approximately fifty percent, with most of that increase coming from the District's Western Division. The collective efforts of our law enforcement partners under Project Safe Neighborhoods have taken more than 650 guns off the streets in Rapid City alone since the beginning of 2018.

United States v. Stanley Patrick Weber: White House Task Force

In September, following a week-long jury trial conducted by AUSA Sarah Collins and AUSA Eric Kelderman, former Indian Health Services pediatrician, Stanley Patrick Weber, was convicted of five counts of Aggravated Sexual Abuse and three counts of Sexual Abuse of a Minor.

Weber began what would be decades of sexual abuse against multiple boys upon his 1995 transfer to the IHS hospital on the Pine Ridge Reservation in South Dakota. He abused his victims while acting as their treating pediatrician. He was sentenced on February 10, 2020, to five consecutive life sentences in federal prison for five counts of Aggravated Sexual Abuse, and 15 years on each of three counts of Sexual Abuse of a Minor. All of these sentences are to be served consecutively to each other, and also consecutive to his sentence in the District of Montana of 18 years in federal prison. Weber was also ordered to pay \$800,000 in criminal fines. This exacting sentence was fit for his prolific abuse of vulnerable boys, abuse of his position of authority, and betrayal of the trust of the people of the Oglala Sioux and Blackfoot tribes.

As a direct result of the Weber case, in March 2019, the White House formed a task force on Protecting Native American Children in the Indian Health Service System. The task force will examine any systemic problems that may have led to failures of the IHS to protect Native American children. The task force will develop recommended policies, protocols and best practices to protect Native American children and prevent abuse. The task force is comprised of subject-matter experts from several U.S. Government agencies, and co-chaired by Joseph Grogan, Assistant to the President for Domestic Policy, and Trent Shores, U.S. Attorney for the Northern District of Oklahoma and citizen of the Choctaw Nation. The task force will also draw on the expertise of other federal employees and resources and seek perspective and input from tribal leaders and Native American voices.

Marlys Big Eagle Honored with Attorney General's Award in Washington, D.C.



Attorney General Barr, Marlys Big Eagle, U.S. Attorney Parsons

In October, Marlys Big Eagle, Victim Witness Coordinator for the District of South Dakota, was one of only 295 department employees nationwide recognized by Attorney General William P. Barr at the 67th Annual Attorney General's Awards Ceremony, held at Constitution Hall in Washington, D.C. The most prestigious award given by the Department of Justice recognizes those who have demonstrated exceptional achievements, leadership, and service to the Department and the American people. U.S. Attorney Parsons also attended the ceremony.

Ms. Big Eagle, an enrolled member of the Hunkpati Oyate Crow Creek Sioux Tribe, has provided victim services for the District of South Dakota since 1998. Her leadership has long been recognized by Federal, State, and Tribal prosecutors, law enforcement officers, other victim

assistance providers, and Tribal leaders. Her 21-years of service with the Department of Justice has resulted in an exponential improvement in the delivery of crucial services to Indian Country victims. And her unique perspective as an enrolled tribal member and her wealth of knowledge and experience has made a decisively positive impact in the lives of thousands of Native American women and children who have had to make the complex journey through the Federal criminal justice system.



Conference Keynote Speakers David Sheff and Nic Sheff

U.S. Attorney's Office Co-Hosts Addiction Care Conference

In October, the U.S. Attorney's Office, Avera, and the Hazelden Betty Ford Foundation hosted a conference, "The Many Faces of Addiction: Hope and Healing," in Sioux Falls. This was the sixth annual conference sponsored by Avera and the U.S. Attorney's Office, along with other sponsors, to explore issues of justice, well-being, and safety in our state and region. Past topics have included human trafficking, living with disabilities, child sexual abuse, the opioid epidemic, and addiction and suicide.

Keynote speakers were Nic and David Sheff. Nic's heartbreaking and inspiring struggle with substance abuse disorder is the story of "Beautiful Boy," a major motion picture, based on his father David's bestselling book. Nic puts a compelling human face on our nation's substance abuse epidemic, encouraging those who struggle to embrace help and bringing hope to all who are touched by it.

The audience heard stories from individuals who have personal or family struggles with addiction. It included KELOLAND News anchor and reporter, Angela Kennecke, who spoke on "The Broadcast that Broke My Heart," telling the story of her daughter's death by drug overdose and the founding of Emily's Hope, which raises funds to help people receive the help they need in the face of addiction. Glenn and Phyllis Jorgenson were interviewed by author Terry Woster. Phyllis recently wrote a book, "Self-Portrait" about the impacts of addiction on the family, and Woster wrote "It's Great to Be Alive," which is the couple's story of Glenn's addiction and recovery. Watertown optometrist Melanie Weiss shared her story of opioid addiction, and panel discussions rounded out the agenda.

CRIMINAL DIVISION

First Assistant U.S. Attorney Dennis Holmes is the Chief of the Criminal Division. The primary responsibility of the Criminal Division for the U.S. Attorney's Office is the prosecution of federal crimes in the District. Many of the offenses prosecuted by the Criminal Division arise on the District's Indian reservations which constitute Indian Country under federal law. By Act of Congress, the most serious offenses involving Native Americans which take place in Indian Country must be prosecuted in federal court under the Major Crimes Act, the Assimilative Crimes Act, or other federal statutes. Our office works closely with tribal prosecutors to coordinate the prosecution of offenses arising in Indian Country.

The other crimes prosecuted by Assistant U.S. Attorneys assigned to the Criminal Division cover a wide range of criminal activities, including drug trafficking, firearms violations, corporate and financial institution fraud, bankruptcy fraud, mail fraud, healthcare fraud, computer fraud, agricultural program fraud, public corruption, terrorism, child pornography, environmental crimes, civil rights violations, federal wildlife violations, and any of the more than 900 federal offenses that have been created by Congress.



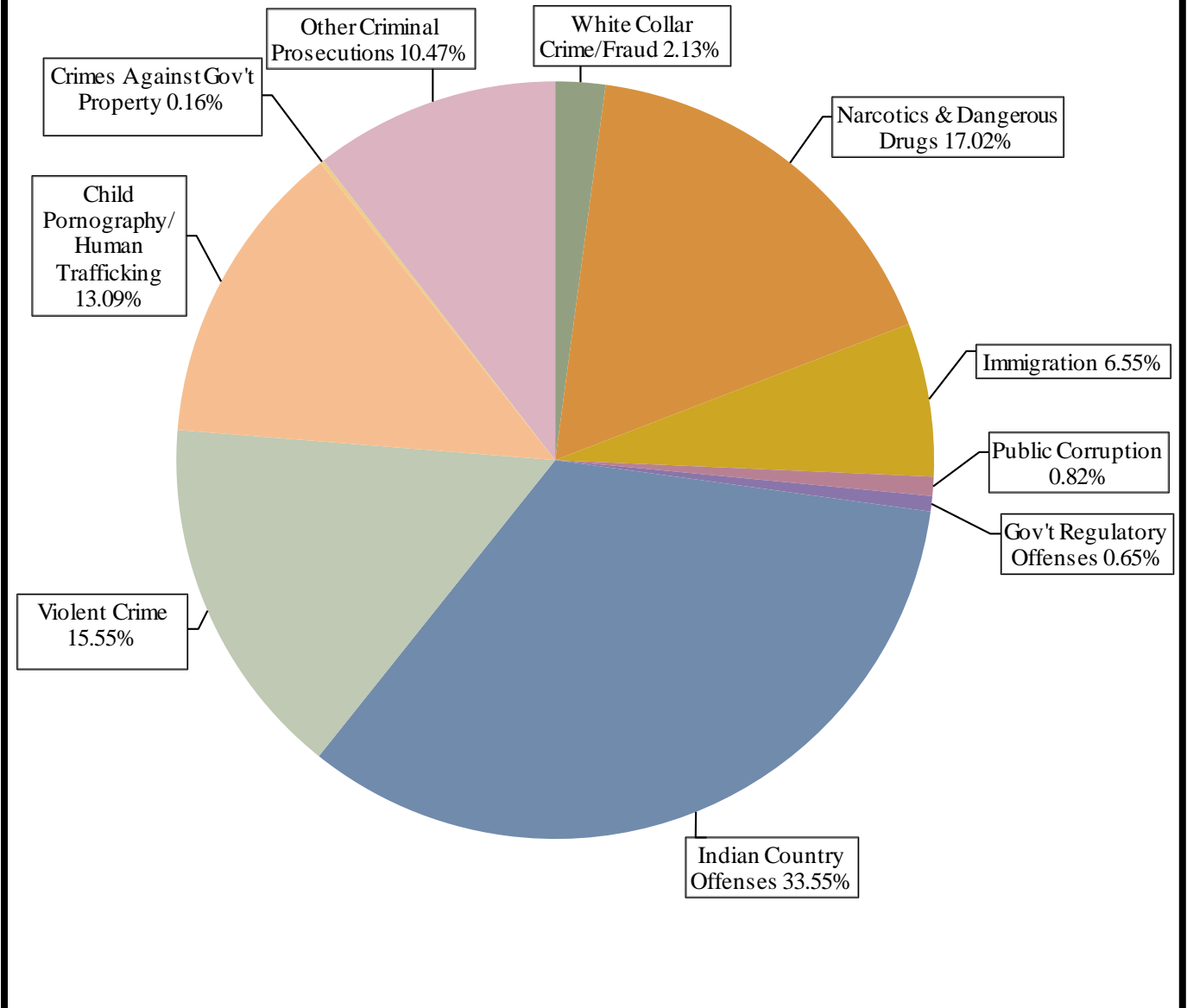
Courtroom in Sioux Falls, South Dakota

Twenty-three attorneys are assigned to the Criminal Division. This includes Criminal Chief Dennis Holmes and Deputy Criminal Chief John Haak, both in Sioux Falls, and two office supervisors, Gregg Peterman in Rapid City and Tim Maher in Pierre. AUSA Sarah Collins serves as the District's Senior Litigation Counsel in the Criminal Division. AUSA Troy Morley serves as the District's Tribal Liaison to the nine Tribal governments located in South Dakota. In addition, one attorney in the Division is assigned to the Organized Crime Drug Enforcement Task Force to handle major drug trafficking prosecutions. One attorney serves as the District's Project Safe Neighborhoods Coordinator focusing on federal gun crimes. One attorney in the Division serves as the District's anti-terrorism coordinator. One attorney and one auditor are assigned to healthcare fraud investigations. The District's asset forfeiture program is also assigned to the Criminal Division.

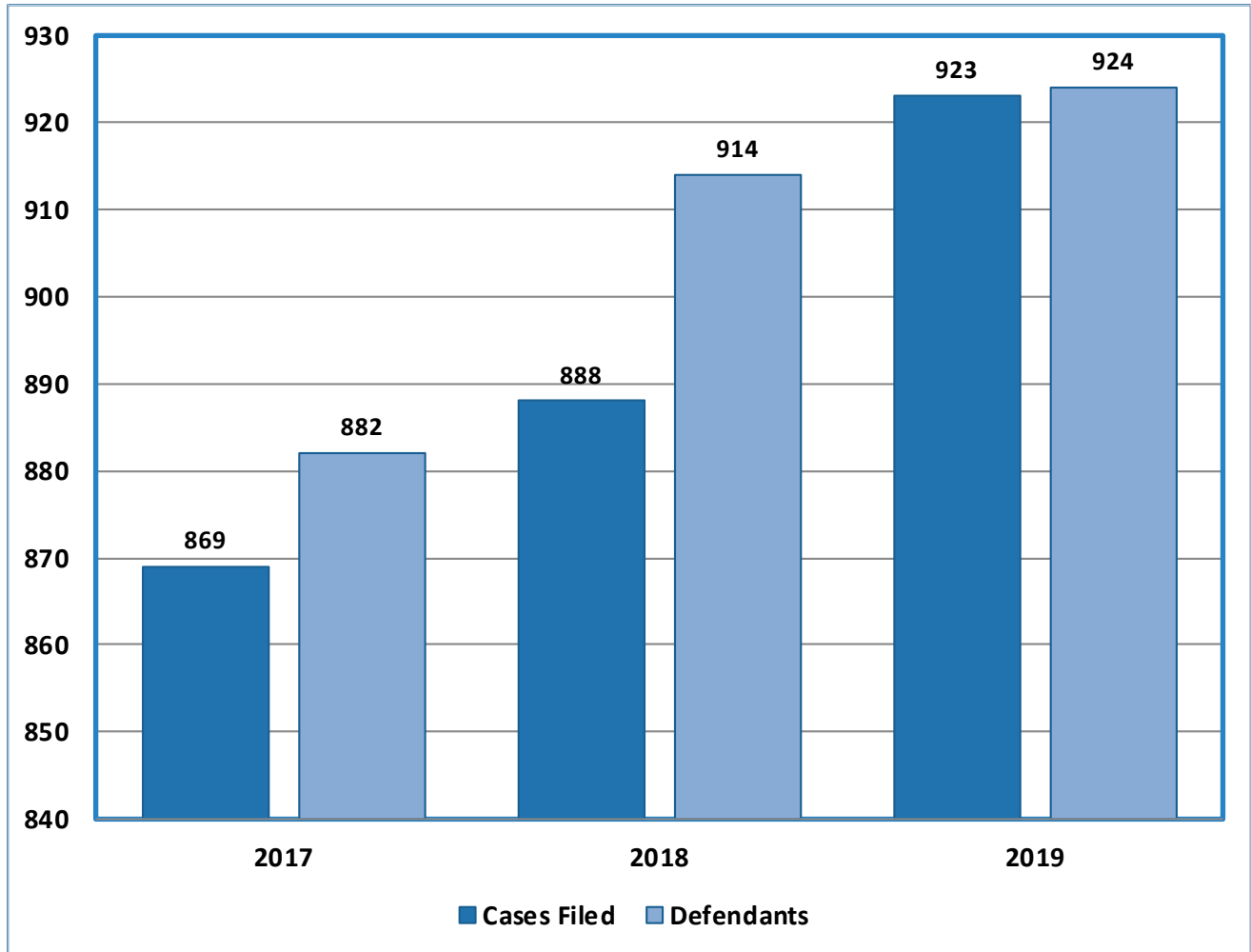
STATISTICAL HIGHLIGHTS

Criminal Caseload Statistics Total Cases Filed

Total Cases by Program Category

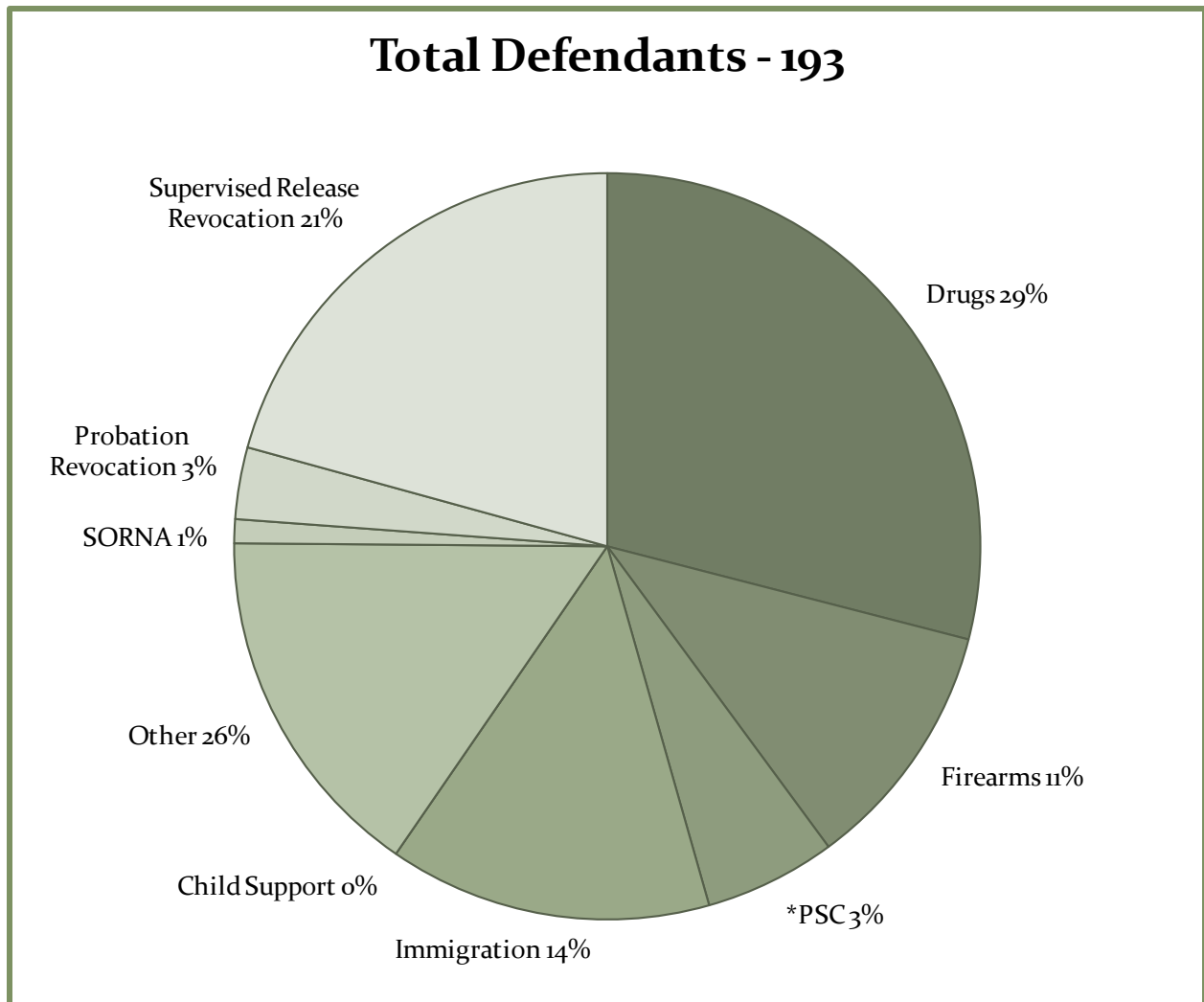


Cases & Defendants Filed Calendar Years 2017 - 2019¹



¹ Includes Revocations of Supervised Release and Probation

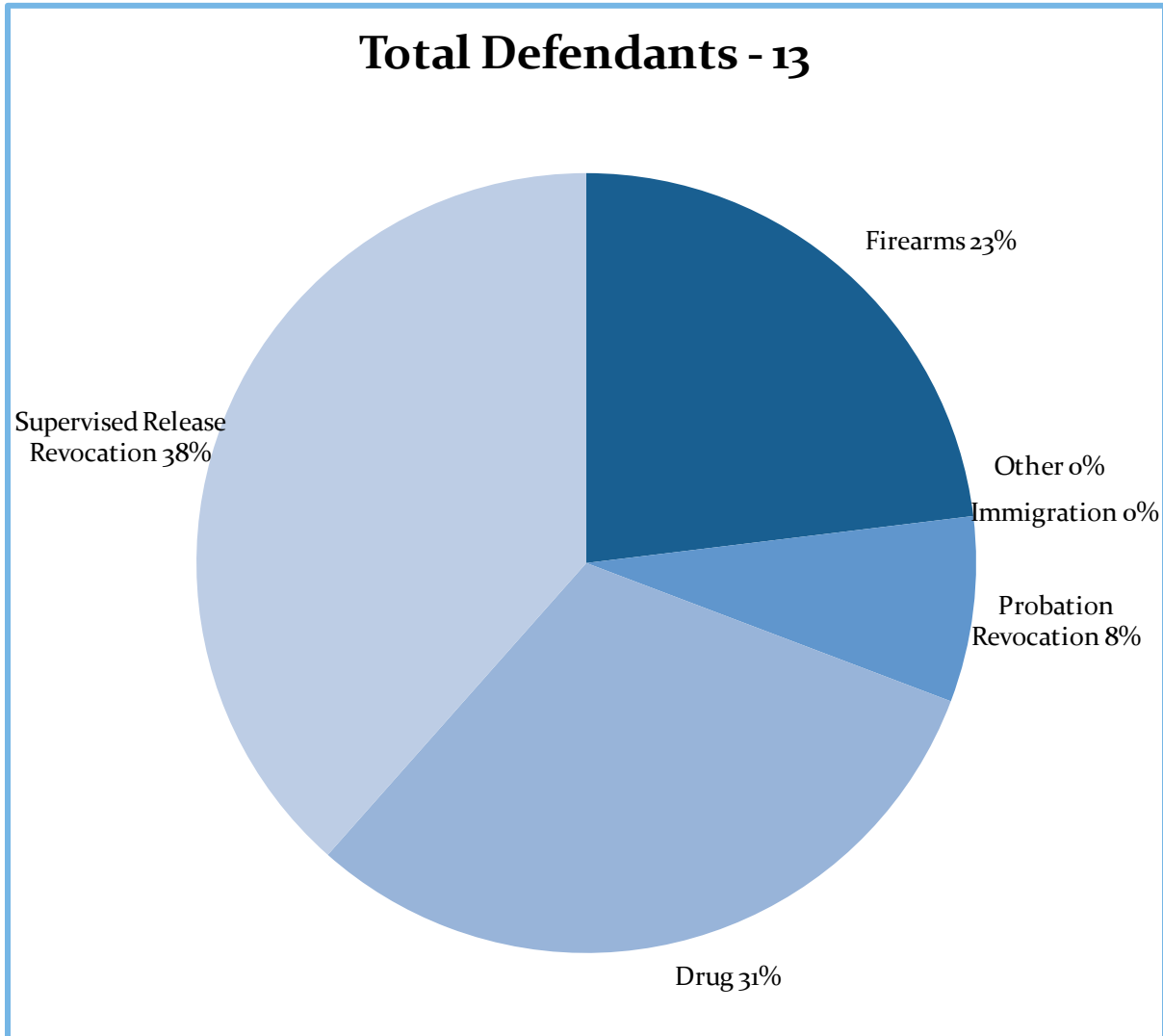
Federal Defendants by Offense (excluding Indian Country) Per Division Southern Division



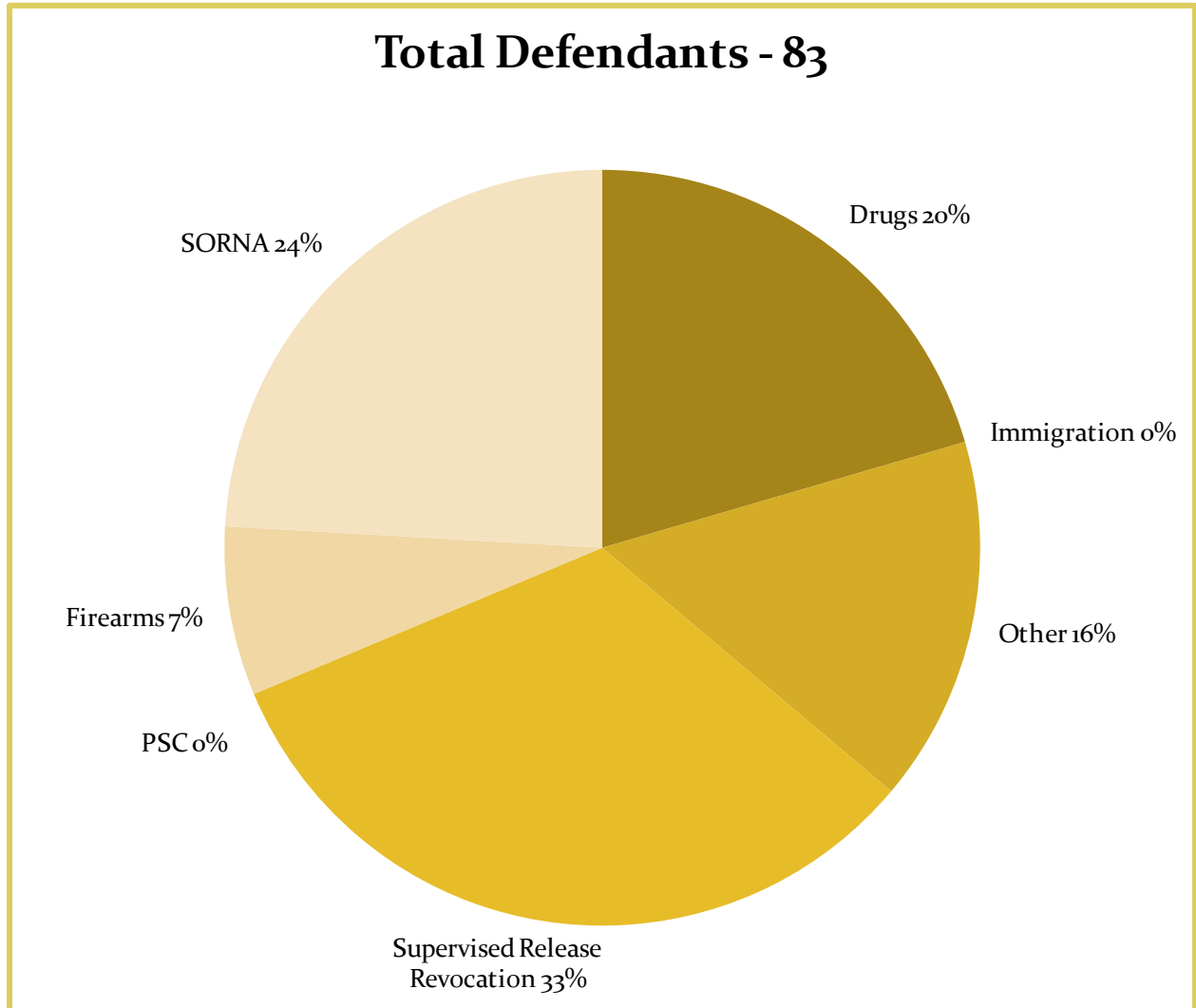
*PSC (Project Safe Childhood) includes all cases concerning child pornography, sex trafficking, human trafficking, and obscenity.

*SORNA (Sex Offender Registration and Notification Act)

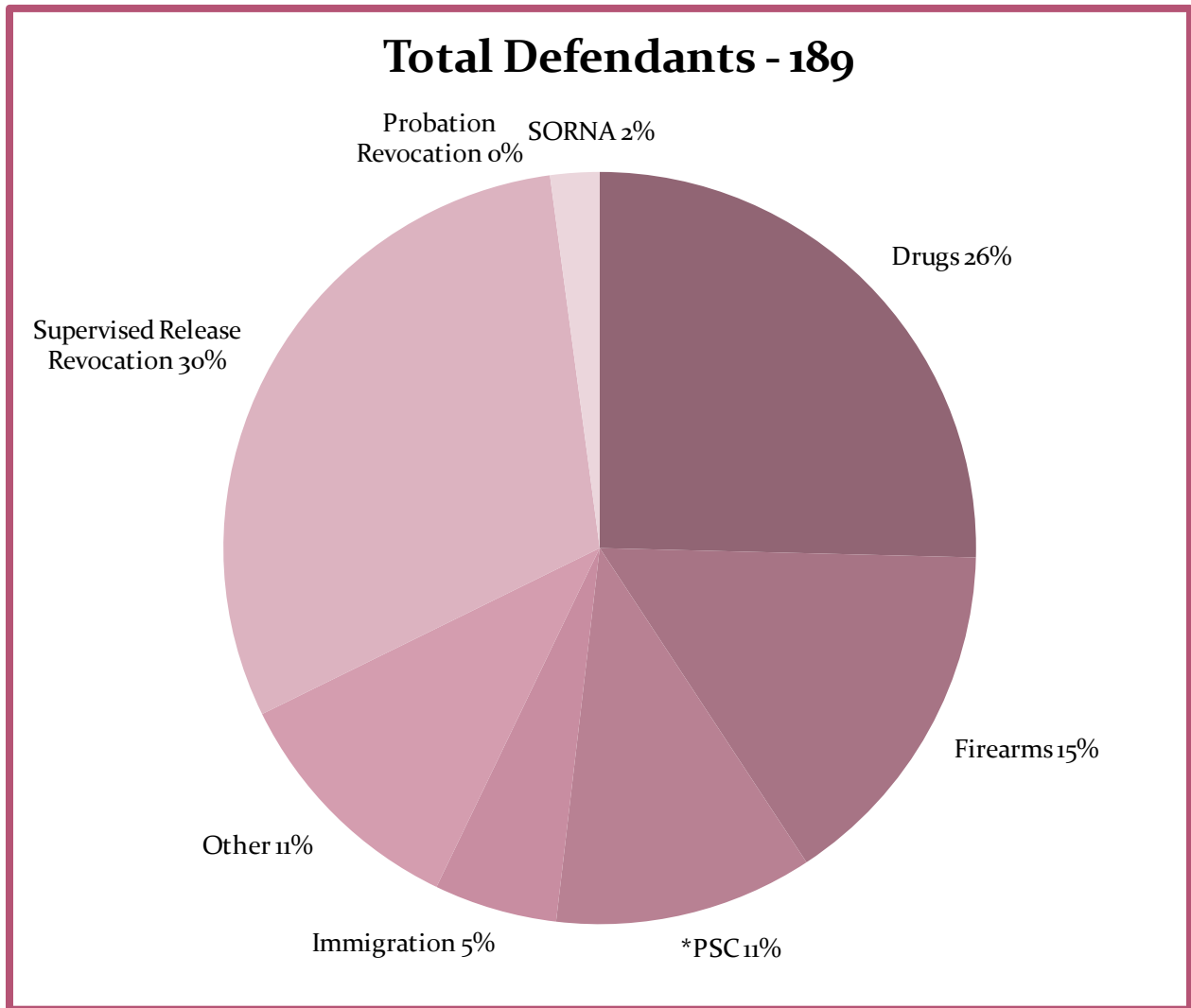
Federal Defendants by Offense (excluding Indian Country) Northern Division



Federal Defendants by Offense (excluding Indian Country) Central Division



Federal Defendants by Offense (excluding Indian Country) Western Division



Significant Federal Cases (Non-Indian Country)

Project Safe Neighborhoods – Firearm/Drug Cases

United States v. Saul Crowe, Moses Crowe, and Ranson Long Pumpkin

Carjacking Resulting in Serious Bodily Injury; Discharge of a Firearm During the Commission of a Crime of Violence; and Possession of a Firearm by a Prohibited Person

Saul Crowe, his brother Moses Crowe, and Ranson Long Pumpkin carjacked a Rapid City man in October of 2017 by brandishing firearms and using physical force. After dragging the victim out of the driver's seat of his van, Long Pumpkin repeatedly strangled the victim in the backseat while Saul Crowe drove to a remote location on the outskirts of Rapid City. Throughout the carjacking, the victim was repeatedly strangled, beaten, and pistol-whipped. Saul Crowe and Moses Crowe, both convicted felons, carried firearms with them and fired bullets near the victim to further terrorize him. Saul Crowe pled guilty to Carjacking Resulting in Serious Bodily Injury and Discharge of a Firearm During the Commission of a Crime of Violence. Saul Crowe was sentenced to 121 months in federal prison. Moses Crowe and Ranson Long Pumpkin were each convicted at trial of all counts in the Superseding Indictment. The men remain incarcerated pending resolution of post-trial motions and sentencing.

United States v. Matthew Keifer and Zephaniah Thompson

Theft of Firearms

In the early hours of August 22, 2018, Matthew Keifer had Zephania Thompson drive him to a location near The Rooster, a sporting goods store in Rapid City engaged in the business of selling firearms. Keifer then used a crowbar to force open a locked door to The Rooster, proceeded inside and burglarized The Rooster, stealing 24 handguns. Thompson then picked Keifer back up and drove Keifer to Thompson's residence. Keifer used a dremel tool to remove serial numbers from several of the stolen firearms. Keifer and Thompson then traded at least two of the stolen firearms for methamphetamine, and also sold and attempted to sell others. During the investigation, law enforcement recovered 22 of the 24 stolen firearms. Keifer and Thompson pleaded guilty to theft of firearms. On June 6, 2019, Thompson was sentenced to 57 months in federal prison, followed by two years of supervised release. On August 5, 2019, Keifer was sentenced to 71 months in federal prison, followed by three years of supervised release.

United States v. Daniel J. Richardson, Jr.

Possession of Unregistered Firearms

In 2018, Daniel J. Richardson, Jr. of Tennessee donated \$1,000 to the Red Cloud Indian School located on the Pine Ridge Reservation. After receiving the donation, administrators at Red Cloud sent Richardson a thank you letter, which also invited him to attend an open house at Red Cloud on September 21, 2018. On September 17, 2018, Richardson sent a video titled, "Froggy Got Ambushed by Jesuit's!" to Red Cloud administrators. During the course of the video, Richardson made threats to the employees of Red Cloud, claiming they were deceiving the Native American people. An investigation showed Richardson had made several other videos documenting his planned trip to South Dakota, which also contained numerous threats against Jesuits and people of other religions. In September 2018, Richardson traveled from his home in Tennessee to the Pine Ridge Reservation. On September 21, 2018, Richardson arrived at Red Cloud and was arrested shortly after his arrival. After his arrest, officers located a loaded pistol, a machete, and a sword in his vehicle. Officers later located numerous firearms and two firearm silencers in his camper. The firearm silencers were not registered as required under the National Firearms Act. Richardson pleaded guilty to possession of unregistered firearms. On May 31, 2019, Richardson was sentenced to five years in federal prison, followed by two years of supervised release.

United States v. Hailee Flores

Possession of Firearm by Prohibited Person

Hailee Rae Flores was convicted of possessing a firearm while being prohibited from doing so because she is a convicted felon. She was arrested on January 13, 2019, by law enforcement after an attempted traffic stop where she was the driver of the vehicle and initially attempted to flee from law enforcement, but was apprehended. Flores had concealed a handgun in a purse she carried with her. She entered a guilty plea on December 19, 2019, and sentencing is scheduled for July 20, 2020.

United States v. Brendan Janis

Conspiracy to Distribute Methamphetamine and Prohibited Person in Possession of Firearm

Brendan Janis distributed approximately 2.2 kilograms of methamphetamine in Kyle, South Dakota from September 2015 through April 2017. On April 10, 2017, law enforcement searched his residence and vehicle, locating 18 grams of methamphetamine, several firearms, ammunition, and drug paraphernalia. Janis was convicted at trial on August 29, 2019. He was

sentenced on January 3, 2020, to 15 years in federal prison, followed by five years of supervised release.

United States v. Adam Westphal

Conspiracy to Distribute Methamphetamine and Possession of an Unregistered Firearm and Firearm Silencer

Adam Westphal distributed methamphetamine in central South Dakota from October 1, 2017, through July 1, 2018. Westphal was arrested following an explosion at his home where homemade silencers and destructive devices not registered to him as required by law, methamphetamine, and drug paraphernalia were recovered. Westphal confessed to distributing between 500 and 1.5 kilograms of methamphetamine in the Gettysburg, South Dakota, area. As part of the conspiracy, Westphal also possessed 12 firearms, including an illegal short shotgun. Westphal pleaded guilty and was sentenced on July 20, 2019, to 10.5 years in federal prison, followed by five years of supervised release.

United States v. Josh Paul

Conspiracy to Distribute Methamphetamine and Possession of a Firearm During a Drug Trafficking Crime

Josh Paul distributed methamphetamine in northeast South Dakota from November 23, 2017, through February 28, 2018. During a traffic stop in Corson County officers recovered 6 pounds of methamphetamine and a firearm from Paul. This methamphetamine was destined for the Watertown and Sisseton areas, where it would be distributed by others on behalf of Paul. Paul pleaded guilty and was sentenced on June 3, 2019, to 17.5 years in federal prison, followed by five years of supervised release.

United States v. Michael Wayne Cooper

Distribution of Controlled Substance Resulting in Serious Bodily Injury and Conspiracy to Distribute Controlled Substance

A superseding indictment was filed against Michael Cooper by a federal grand jury in Sioux Falls for Distribution of a Controlled Substance Resulting in Serious Bodily Injury and Conspiracy to Distribute a Controlled Substance. Michael Cooper distributed a controlled substance in August of 2018, which resulted in the serious bodily injury of a victim in Sioux Falls. The victim was revived by first responders with two doses of Nalaxone, commonly known as Narcan, which prevented his death. After trial, Cooper was convicted on all counts. On December 30, 2019, he

was sentenced to 20 years in federal prison on each count, to be served concurrently, followed by three years of supervised release on each count, to be served concurrently.

United States v. Michael Anthony Williams

Conspiracy to Distribute a Controlled Substance

An indictment was filed against Michael Williams by a federal grand jury in Sioux Falls in November 2018 for Distribution of a Controlled Substance. From a date unknown to November 2018, Williams distributed 500 grams or more of methamphetamine in the District of South Dakota. He pleaded guilty and was sentenced on August 8, 2019, to 15.6 years in federal prison, followed by five years of supervised release.

United States v. Christopher Jason Steward

Conspiracy to Distribute a Controlled Substance

An indictment was filed against Christopher Steward by a federal grand jury in Sioux Falls for Distribution of a Controlled Substance. From a date unknown to June 2018, Steward distributed 500 grams or more of methamphetamine in the District of South Dakota. He pleaded guilty and was sentenced on June 24, 2019, to 12.5 years in federal prison, followed by five years of supervised release.

United States v. Kok Put Kach

Conspiracy to Distribute a Controlled Substance

From a date unknown to October 2018, Kok Put Kach distributed 500 grams or more of methamphetamine in the District of South Dakota. Law enforcement learned that Kach was utilizing the U.S. Postal System to deliver methamphetamine from Arizona to South Dakota. Subsequently, a search warrant for Kach's home was executed. Law enforcement located 889 grams of methamphetamine. An indictment was filed against Kok Kach by a federal grand jury in Sioux Falls for Distribution of a Controlled Substance. He pleaded guilty on July 2, 2019, and was sentenced on February 2, 2020, to 10 years in federal prison, followed by five years of supervised release.

United States v. Joseph Bradshaw

Conspiracy to Distribute Methamphetamine

Joseph Bradshaw received approximately 54 kilograms of methamphetamine from California and distributed it in the Black Hills from September 2015 through October 2017. Bradshaw secreted two pounds of methamphetamine and \$23,540 in the forest, which was recovered by

law enforcement. On October 26, 2017, Bradshaw was arrested after a search of his residence, which uncovered over 200 grams of methamphetamine and 13 firearms. He pleaded guilty and was sentenced on June 18, 2019, to 17.5 years in federal prison, followed by five years of supervised release.

United States v. Juan Porcayo

Conspiracy to Distribute Methamphetamine

Juan Porcayo, of central California, distributed methamphetamine to Patrick Okroi and others from December 2015 through January 2017. Okroi and others then transported the methamphetamine back to Rapid City for further distribution. Over the course of the conspiracy he was responsible for distributing approximately 9.5 kilograms of methamphetamine. Porcayo proceeded to trial in October 2019 and was convicted. On February 28, 2020, Porcayo was sentenced to 14 years in federal prison, followed by five years of supervised release.

United States v. Cathy Wells

Conspiracy to Distribute Methamphetamine

Cathy Wells distributed methamphetamine in western South Dakota from November 2017 through June 2018. Wells moved to South Dakota from Colorado in order to facilitate her distribution of methamphetamine. Multiple controlled purchases were conducted from her storage unit, which was later searched by law enforcement. Wells eventually confessed to law enforcement. She pleaded guilty and was sentenced on July 16, 2019, to 20 years in federal prison, followed by five years of supervised release.

United States v. Reymundo Saucedo, Ramiro Reyna, Martin Rios, and Dakota Wright

Conspiracy to Distribute Methamphetamine

Reymundo Saucedo, Ramiro Reyna, Martin Rios, and Dakota Wright were involved in distributing more than 500 grams of methamphetamine, which was being shipped and delivered from southern Texas to South Dakota. Saucedo received a sentence of 30 years in federal prison in June 2019; Martin Rios was sentenced to 20 years in March 2019; Ramiro Reyna received a sentence of 13.3 years in June 2019; and Dakota Wright was sentenced to six years in federal prison.

United States v. Michael Carey

Conspiracy to Distribute Methamphetamine

Michael Carey rented numerous vehicles and made multiple trips to California to obtain 10-15 pounds of methamphetamine at a time. He would then return to Rapid City where he would distribute the methamphetamine, primarily from his home. South Dakota Highway Patrol troopers stopped Carey when he was returning from a California trip in October 2018. Upon searching his vehicle, troopers located approximately 10 pounds of methamphetamine. Carey pleaded guilty on February 5, 2019, and was sentenced on May 20, 2019, to 20 years in federal prison, followed by five years of supervised release. His wife is also charged in the conspiracy, has signed a plea agreement and will enter a plea in August 2020.

United States v. Jeffrey Travis, Jeffrey Nespor, Martin McIlravy and Derek

Dowling

Conspiracy to Distribute Methamphetamine

Jeffrey Travis, of Greeley, Colorado, was the primary supplier of multiple pounds of methamphetamine for others in the conspiracy from 2016 to 2018. Jeffrey Nespor worked with Travis to coordinate with other subdistributors to distribute this methamphetamine in Western South Dakota. Martin McIlravy and Derek Dowling were among those subdistributors. When Nespor was stopped by law enforcement in February 2018, he admitted trafficking over 50 pounds of methamphetamine, most of it from Travis. McIlravy and Dowling, as subdistributors, were each involved in distributing several pounds of that methamphetamine. All persons have pleaded guilty and have been sentenced. Nespor was sentenced to 20 years in federal prison, followed by 10 years of supervised release in November 2018. Travis was sentenced to 20 years in federal prison, followed by 10 years of supervised release in September 2019. McIlravy was sentenced in to over 11 years in federal prison, followed by five years of supervised release in September 2019 (McIlravy has since passed away in federal prison.) Dowling was sentenced to 10 years in federal prison, followed by five years of supervised release on March 30, 2020.

United States v. Enrique Estrada, Jr. and Kari Vaughn

Conspiracy to Distribute Methamphetamine

Enrique "Ricky" Estrada and Kari Vaughn, a/k/a Kari Drury, and others distributed multiple pounds of methamphetamine in the Northern Black Hills between October 2017 and September 2018. Estrada coordinated with several co-conspirators to obtain methamphetamine from the State of Colorado, then transport it to South Dakota for distribution. Vaughn wired money for Estrada and traveled to Colorado at times, to assist in obtaining the methamphetamine. She

further distributed the methamphetamine for Estrada, as well. Much of the methamphetamine was distributed out of Estrada's home in Spearfish, South Dakota. Ricky Estrada was sentenced on December 5, 2019, to 20 years in federal prison, followed by five years of supervised release. Kari Vaughn was sentenced on December 18, 2019, to 15 years in federal prison, followed by 10 years of supervised release.

Project Safe Childhood Cases

United States v. Amin Ricker

Aggravated Sexual Abuse of a Child, Interstate Travel With Intent to Engage in Illicit Sexual Conduct, and Child Pornography Offenses

In late 2014 and early 2015, Amin Ricker traveled from his home in Huron, South Dakota, to Texas on multiple occasions for the purpose of sexually abusing twin seven-year-old girls, who resided in Texas with their mother. In January 2015, and again in March 2015, Ricker created photos and videos of the sexual abuse, which he later saved and catalogued on other media storage devices. In December 2015, one of the girls was approached by a school counselor who had concerns that she was being abused by Ricker. Based on the girl's disclosure, the counselor notified law enforcement. The girls' mother was interviewed, and made statements indicating she was aware of the abuse. In subsequent interviews, however, neither girl disclosed any abuse.

Ricker thereafter avoided detection until early 2017, by which time he had relocated to Pierre, South Dakota. In February 2017, law enforcement agents executed a search warrant at his residence, based on evidence that he was sharing child pornography online. The agents seized multiple electronic devices and digital media storage devices from Ricker that contained thousands of images and videos of child pornography, including images of Ricker sexually abusing the twin girls. Following a five-day jury trial, he was convicted of two counts of Aggravated Sexual Abuse of a Child, one count of Travel With Intent to Engage in Illicit Sexual Conduct, and four counts related to Transporting, Distributing, Receiving, and Possessing Child Pornography. On June 17, 2019, Ricker was sentenced to a total of 50 years in federal prison, followed by supervised release for the rest of his life. He was further ordered to pay a total of \$84,600 in restitution.

United States v. David Foster

Possession of Child Pornography

A Pierre, South Dakota, man was convicted of Possession of Child Pornography and sentenced to 4.7 years in federal prison, followed by five years of supervised release, and a \$5,000 assessment to the Domestic Trafficking Victims' Fund. In addition, Foster was ordered to pay \$130,500 to 18 different victims whose images were found on his phone. Portions of multiple victim impact statements were read to the Court, highlighting the continuing victimization and emotional struggle the children identified in the photos endure due to their photographs remaining in circulation.

The conviction stemmed from a search warrant of Foster's devices. Following a forensic analysis, over 4,700 images (including duplicates) of child pornography were discovered. In addition, over 100 videos (including duplicates) of child pornography. The photographs and videos Foster possessed included images depicting female children, between the ages of 8 to 12 years old, who were vaginally penetrated by an adult male penis or performing oral sex on an adult male penis.

United States v. Kevin Lamm

Producing Child Pornography

In 2017, Kevin Lamm created a fake Facebook account for the purpose of sharing child pornography with a friend who also created a fake Facebook account. (The friend, Jason Jorgenson, was prosecuted and sentenced to 30 years in federal prison in 2018). A cybertip from the National Center for Missing and Exploited Children (NCMEC) led to the discovery of Lamm's child pornography scheme on Facebook. Homeland Security Investigations also discovered that Lamm used his fake Facebook account to persuade a 14-year-old female with developmental disabilities in another State, to produce sexually explicit photographs of herself and send them to him using Facebook Messenger. He was sentenced to 30 years in federal prison on each count to be served concurrently, followed by 10 years of supervised release. Lamm's sentence was enhanced because he had previously been convicted of child pornography in 2006.

United States v. Walter Jandreau et al.

Sexual Trafficking of a Child and Sexual Exploitation of a Child

Walter "Wally" Jandreau coerced a minor Native American female with drugs to engage in sexually explicit conduct with him and used his cell phone to photograph the sex acts. He also arranged to obtain methamphetamine from Timothy Bingham in exchange for sex with the

juvenile girl. All of the events occurred in Mitchell, South Dakota. Jandreau was sentenced to 17.5 years in federal prison, followed by 10 years of supervised release. Co-Defendant Timothy Bingham was sentenced to 84 months in federal prison, followed by 5 years of supervised release.

White Collar/Fraud Cases

United States v. Tobias Ritesman and Timothy Burns

Wire Fraud and Mail Fraud

Tobias Ritesman and Timothy Burns were indicted for a fraud scheme related to soliciting investments in an aquaponics facility purportedly to be built near Brookings, South Dakota. Ritesman and Burns lied and made material misrepresentations about the project, which induced several individuals to invest in it. Between approximately May 3, 2016, and August 1, 2017, Ritesman and Burns received a total of \$1,030,000 in investments in the project from 34 investors. Ritesman and Burns each stole investor money and used it for his own purposes.

Ritesman pleaded guilty through a Petition to Plead Guilty and was sentenced to nine years in federal prison, followed by three years of supervised release. Ritesman was also ordered to pay restitution in the amount of \$680,000, and an \$1,800 assessment to the Federal Crime Victims Fund.

Burns was found guilty by a federal jury on five counts of wire fraud and was sentenced to 4.7 years in federal prison on each count, to run concurrently, followed by three years of supervised release. Burns was ordered to pay restitution in the amount of \$487,500, and a \$500 assessment to the Federal Crime Victims Fund. Ritesman's and Burns' appeals to the 8th Circuit Court of Appeals are pending.

United States v. Olivia Kuehner

Wire Fraud; Money Laundering; and Tax Evasion

In August 2012, Olivia Kuehner was hired as the accounting manager for the Rapid City Club for Boys and was employed in that position until June 2017. Kuehner was responsible for the business accounting records, preparing annual wage statements, quarterly employment tax returns, and payroll. Between September 2012 and May 2017, Kuehner devised a scheme to defraud the Club for Boys. During this time period, Kuehner made fraudulent payments to herself, family members, and a nominee entity in excess of her salary without permission. Kuehner transferred money to various accounts in order to conceal the nature and source of the

stolen money. In total, between September 2012 and May 2017, Kuehner embezzled \$121,642.56 from the Club from Boys. Beginning in September 2017, Kuehner was hired as the bookkeeper for Collins Siding, located in Rapid City. Between October 2017 and December 2017, Kuehner embezzled money from Collins Siding by using Collins Siding's bank accounts to pay her personal expenses without permission. In total Kuehner embezzled, or attempted to embezzle, \$26,657.18 from Collins Siding. Between 2012 and 2017 Kuehner also attempted to evade taxes imposed under the Internal Revenue Code. Kuehner did so by creating and filing fraudulent Form W-2s that falsely reported her income and withholdings. Kuehner pleaded guilty to wire fraud, money laundering, and tax evasion. On June 19, 2019, Kuehner was sentenced to 41 months in federal prison, followed by 1 year of supervised release, and was ordered to pay restitution in the amount of \$180,861.87 to the victims, and \$54,298.00 to the Internal Revenue Service.

United States v. Christopher Hoshaw, Calvin Pelichet, Kristin DeBoer, and All Around Sports, Inc.

Wire Fraud & Conspiracy

Christopher A. Hoshaw of Meridian, Idaho; Calvin Pelichet of Boise, Idaho; Kristin DeBoer of Caldwell, Idaho; and the company, All Around Sports, LLC, all were convicted for their respective roles in committing wire fraud and conspiracy to commit wire fraud. The defendants devised and intended to devise a scheme and artifice to defraud the Oglala Sioux Tribe, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises. Pelichet, the sales manager at All Around Sports, received the most significant sentence of two years in federal prison, followed by three years of supervised release following his incarceration. Hoshaw was sentenced to 12 months of home detention and five years of probation. DeBoer was sentenced to four months of home detention and two years of probation. All Around Sports, LLC, was sentenced to three years of probation. Hoshaw, Pelichet, and All Around Sports, LLC, were also ordered to jointly and severally pay restitution of \$157,450 to two Alaskan Native entities. While the individual defendants were not fined, All Around Sports, LLC, was fined \$42,000.

United States v. Brianna Breaw, a/k/a Stephanie Haupt

Theft of Government Funds

Between August 28, 2014, and November 28, 2017, Brianna Breaw knowingly received Title XVI Supplemental Security Income (SSI) program benefits, Medicaid benefits, and Supplemental Nutrition Assistance Program (SNAP) benefits payments under her former name and original

social security number, while at the same time she was working full-time under her new name and new social security number. Breaw lied to the Social Security Administration (SSA) on multiple occasions regarding her social security numbers, her marital status, her employment status, and her income in order to continue to receive SSI benefits payments. She also lied on her various SNAP applications, and at one point was receiving overlapping SNAP benefits from South Dakota, Iowa, and Illinois. Breaw was sentenced to 20 months in federal prison, followed by three years of supervised release. She was ordered to pay restitution in the amount of \$58,244.95 to the SSA, Medicaid, and SNAP in South Dakota and Iowa. Breaw's appeal to the 8th Circuit Court of Appeals is pending.

United States v. Michael Glenn Ogden, Mary Ellen Autry, and Marcus Paul Franklin
Passing Counterfeit United States Currency

In March 2018, the defendants were arrested in Rapid City after passing counterfeit United States currency at local businesses. Further investigation by the Rapid City Police and U.S. Secret Service revealed they were involved in a multistate scheme to manufacture and pass counterfeit \$100.00 Federal Reserve notes. The scheme involved bleaching genuine \$10.00 notes, then printing \$100.00 notes on the real currency paper. The defendants used several serial numbers unique to them, which allowed law enforcement to locate at least \$120,700 in counterfeit currency the trio passed in over 35 States around the country. The group was apprehended after spending additional time in South Dakota because Spring fog had prevented them from seeing Mount Rushmore for two days. The defendants were charged with passing counterfeit currency and related charges. After guilty pleas, all three were ordered to pay restitution, and Ogden was sentenced to 41 months in federal prison, Autry 30 months, and Franklin 41 months.

U.S. v. Lauren Montgomery
Possession of Unauthorized Access Devices

The defendant was a passenger in a car stopped for speeding in Butte County. The two occupants provided information about the renter of the vehicle that was inconsistent with the rental agreement. The rental vehicle also was nine days overdue for its scheduled return in Arizona. After a canine alerted to drugs in the vehicle, a South Dakota Highway Patrol Officer found a large amount of cash and a notebook in the trunk. The notebook contained over 60 names, birthdates, and social security numbers. An Internal Revenue Service special agent eventually learned the defendant had used the information in the notebook to file 79 false income tax returns, claimed false refunds of \$416,211.00, and actually received refunds totaling \$105,605.00. The defendant pleaded guilty to Possession of Unauthorized Access Devices, She was sentenced to 41 months in

federal prison, three years of supervised release, and was ordered to pay \$105,605.00 in restitution to the United States.

Environmental

Project Dakota Flyer

A two-year undercover operation resulted in 31 defendants indicted for the illegal trafficking in eagle and other migratory birds and bird parts in violation of the Lacey Act, Bald and Golden Eagle Protection Act, and Migratory Bird Treaty Act. Defendants include both Native Americans and Non-Native Americans who were selling numerous eagle and other migratory birds on the black market to undercover individuals working with USFWS agents. The undercover individuals purchased numerous eagle and other migratory bird feathers, wings, tails, talons and heads for thousands of dollars in cash. To date, 27 defendants have been sentenced for their crimes. Custodial sentences have ranged from probation to eight months in custody. Thus far, courts have imposed fines totaling \$45,500 and restitution totaling \$196,200.

Interstate Threatening Communications

United States v. Larry Wenthold

Threatening Communications

In April 2016, the defendant repeatedly threatened the victims—his ex-girlfriend, her sister, and her mother — on their cellular telephones. During that month, the defendant made hundreds of calls, left numerous voicemails, sent hundreds of text messages and Facebook Messenger messages to the victims, threatening their lives, as well as the lives of other family members, friends, and coworkers. The harassment involved conduct that caused the former girlfriend's phone to ring almost constantly for extended periods of time, and eventually resulted in her allowing the voicemail box to fill so he could not leave more messages. The defendant's actions were intended to place the victims in fear of death or serious injury. The repeated calls and messages the defendant posted and sent included several death threats to the victims and others if the victims did not convince the former girlfriend to respond to calls or messages from the defendant within a certain time. The defendant pleaded guilty to making threatening interstate communications and received a seven year prison sentence, followed by three years of supervised release.

Other Crimes

United States v. Reymundo Saucedo and Jacob Lottman

Obstruction of Justice by Retaliating Against a Witness

Reymundo Saucedo and Jacob Lottman were convicted of obstructing justice by retaliating against a witness. Saucedo and Lottman were housed together in a jail facility and believed another inmate had provided information to law enforcement about drug dealing. As a result, they assaulted the victim, causing physical injury, including a broken bone near the victim's eye. Saucedo was sentenced October 8, 2019, and Lottman was sentenced January 28, 2020. Each was sentenced to five years in federal prison for this assault, consecutive to the sentences each received for separate convictions for conspiracy to distribute controlled substances.

United States v. Hipolito Herrera Villanueva

Illegal Reentry After Deportation

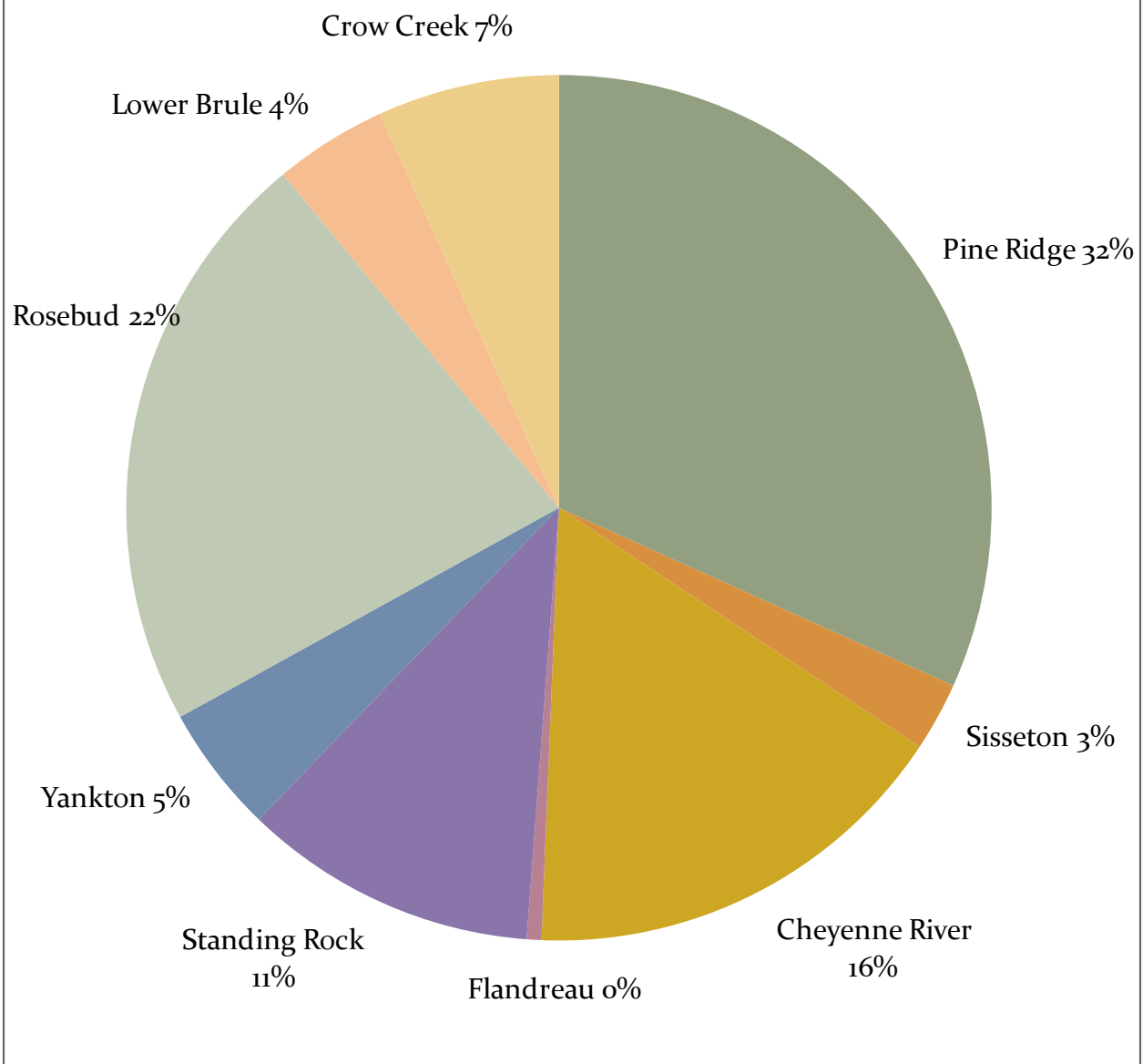
Hipolito Herrera Villanueva was convicted of illegal reentry after deportation. He was found in South Dakota after he had returned to the United States without permission after being formally removed. He had a prior conviction for drug trafficking. He was sentenced on April 3, 2019, to 43 months in federal prison.

STATISTICAL HIGHLIGHTS

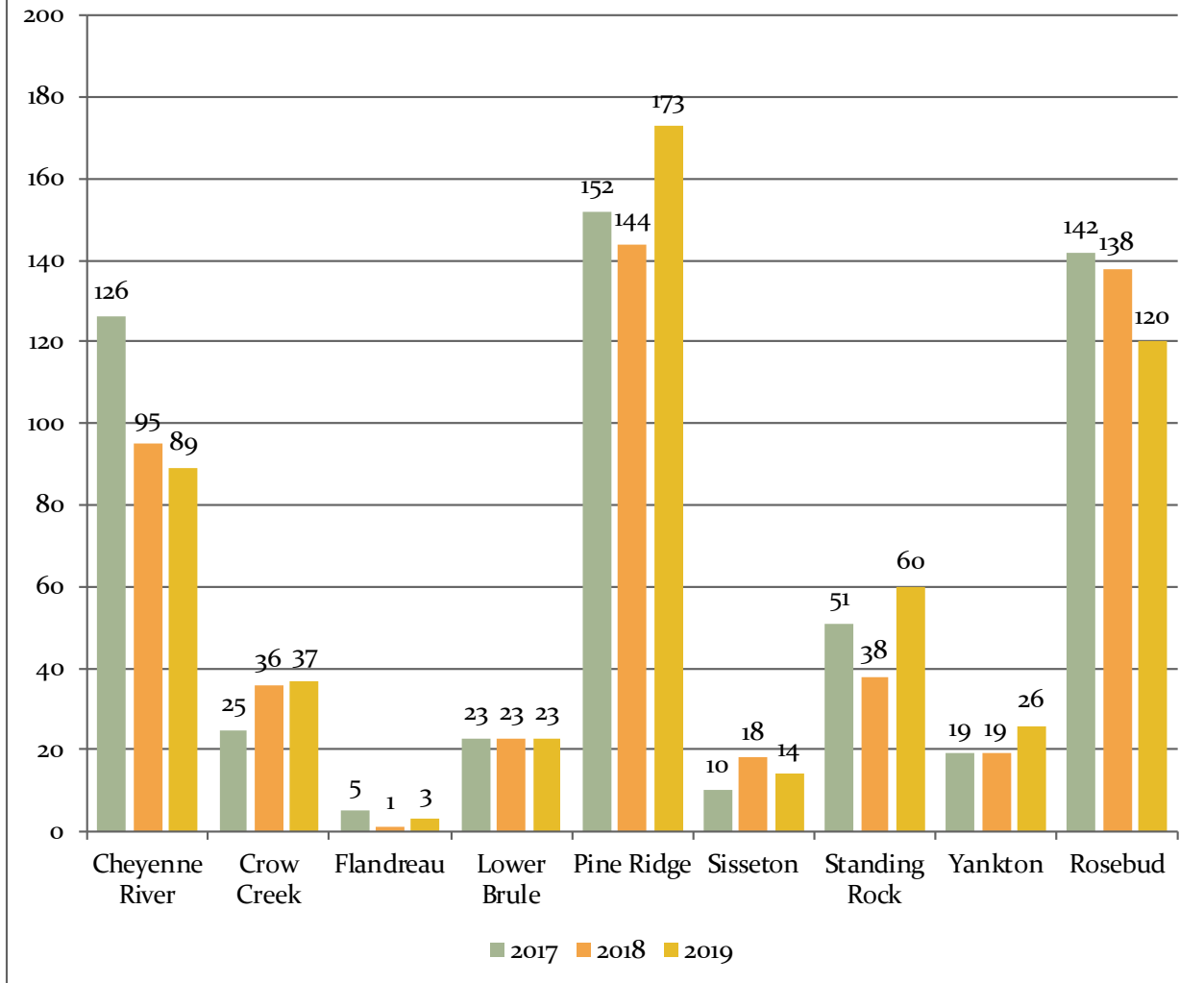
INDIAN COUNTRY

2019

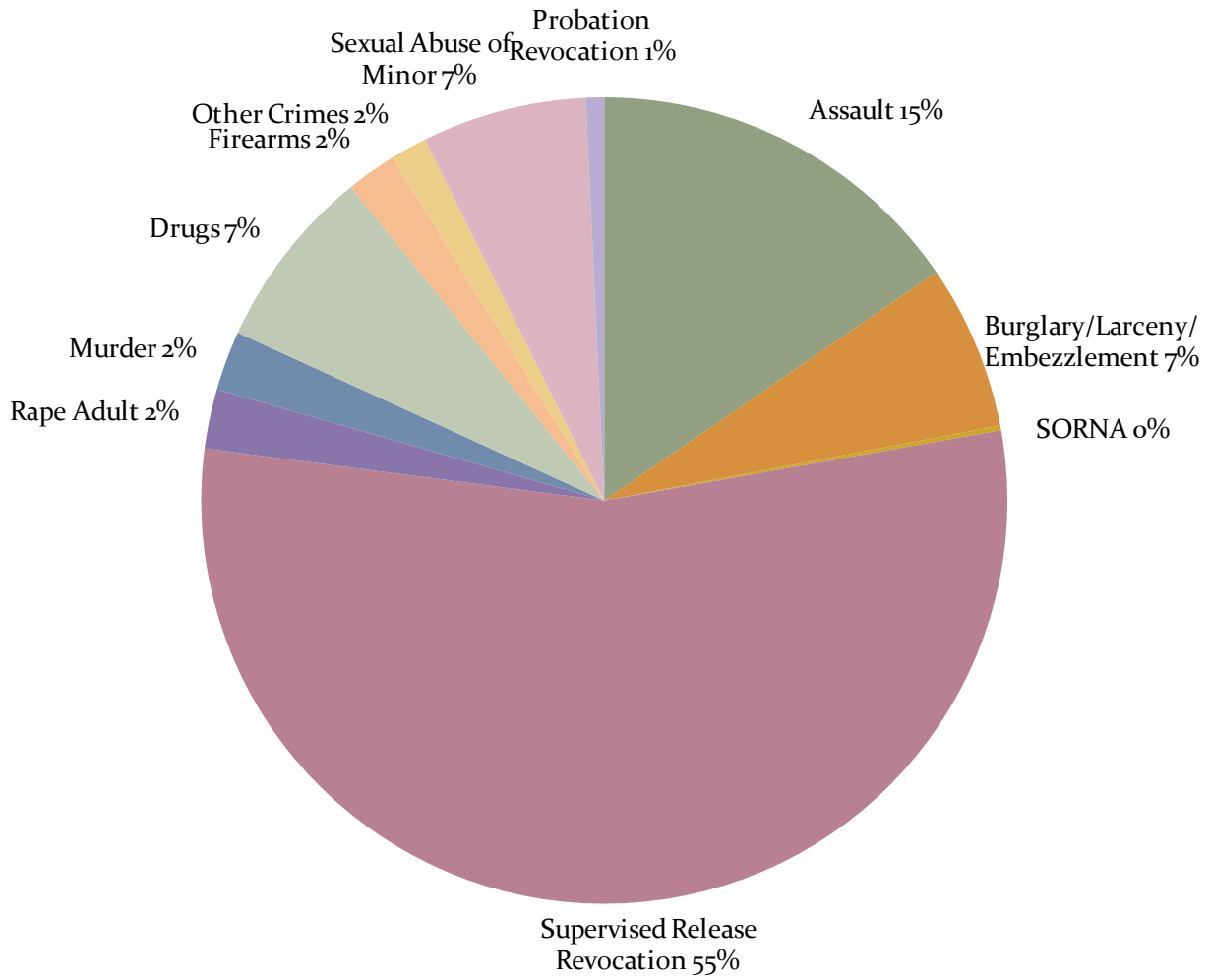
Percentage of Defendants Charged by Reservation



Defendants Charged by Reservation 2017 - 2019



Defendants by Criminal Charge



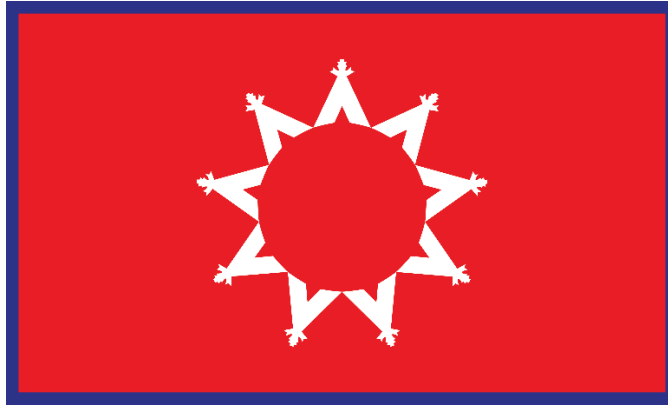
INDIAN COUNTRY DEFENDANTS² CHARGED BY CRIMINAL OFFENSE

Reservation	Assault	Burglary/ Larceny/ Embezzlement	Drugs	Firearms	Manslaughter/ Murder
Cheyenne River	9	9	8	4	1
Crow Creek	6	7	4	0	1
Flandreau	0	0	0	0	0
Lower Brule	4	3	1	1	1
Pine Ridge	25	8	8	2	3
Rosebud	20	2	11	4	4
Sisseton	1	6	0	0	1
Standing Rock	14	1	8	0	2
Yankton	5	0	0	0	0
Totals	84	36	40	11	13

² Includes juveniles

Reservation	Other	Supervised Release Revocation	Probation Revocation	Sexual Abuse of Minor	Rape Adult	SORNA	Total
Cheyenne River	1	52	0	3	2	0	89
Crow Creek	2	12	0	4	1	0	37
Flandreau	0	3	0	0	0	0	3
Lower Brule	0	11	0	0	2	0	23
Pine Ridge	4	101	1	19	2	0	173
Rosebud	0	68	3	5	2	1	120
Sisseton	1	2	0	1	2	0	14
Standing Rock	0	30	0	3	2	0	60
Yankton	0	20	0	1	0	0	26
Totals	8	299	4	36	13	1	545

Pine Ridge Reservation



United States v. Clarence Yellow Hawk

First Degree Murder and Discharge of a Firearm During a Crime of Violence

Clarence Yellow Hawk murdered Christopher Janis on May 27, 2017, on the Pine Ridge Reservation. Clarence Yellow Hawk, Scott Benson, and Jamie Shoulders travelled to a driveway approach off the highway, just north of Sharps Corner where Benson was planning on meeting the victim and another person. While Benson was in the victim's vehicle speaking with him, Shoulders approached the driver's side door and fired several bullets at the man. Yellow Hawk then took the same gun and fired additional shots at the victim, killing him, before fleeing the scene.

Yellow Hawk was indicted by a federal grand jury on June 14, 2017. He was found guilty of First Degree Murder and Discharge of a Firearm During a Crime of Violence following a jury trial in federal court which concluded on May 3, 2019. The sentence is mandatory life.

Scott Benson previously pleaded guilty to Accessory After the Fact and was sentenced to 10 years in federal prison, and Jamie Shoulders was sentenced to 25 years in federal prison, after pleading guilty to Second Degree Murder.

United States v. Henry Chase Alone

Sexual Exploitation and Aggravated Incest

In August 2018, Henry Chase Alone physically assaulted his 16-year-old biological daughter in Manderson, South Dakota, on the Pine Ridge Reservation. An investigation into the physical assault revealed that Chase Alone physically and sexually abused his daughter in Rapid City and

on the Pine Ridge Reservation, impregnated her, and recorded the two engaging in sex acts together. The investigation also revealed that Chase Alone ordered his daughter to engage in intercourse with another minor male so that he could record the two of them engaging in sex acts. After a three-day trial in January of 2019, Chase Alone was convicted of two counts of sexual exploitation, as well as one count of aggravated incest. Chase Alone received maximum sentences on each count of conviction. Further, the charges were ordered to be served consecutively, for a total of 75 years.

United States v. Robert Dowty, Sr.

Aggravated Sexual Abuse of a Minor

A Pine Ridge man, Robert Dowty Sr., was found guilty of Aggravated Sexual Abuse of a Minor at the conclusion of a federal jury trial in Rapid City. The charge carries a mandatory minimum sentence of 30 years in federal prison, up to life. Evidence at trial established that between June and September of 2018, Dowty forcibly sexually assaulted a child under the age of 16 years. Additional victims testified at trial that they also were sexually assaulted in the past by Dowty. Sentencing is pending.

United States v. Emery Arapahoe III

Second Degree Murder and Arson

A Pine Ridge man, Emery Arapahoe III, convicted of Second Degree Murder and Arson was sentenced September 17, 2019, to 21 years and 10 months in federal prison, followed by 5 years of supervised release on the Second Degree Murder charge. Arapahoe was also sentenced to 10 additional years in federal prison, followed by 5 years of supervised release, for the Arson charge, for a total of 31 years and 10 months.

Arapahoe was indicted by a federal grand jury in February 2019. During the early morning hours of October 16, 2017, Arapahoe stole a truck from a residence at Pine Ridge and drove to a trailer in Allen, South Dakota. Inside the trailer he observed the victim, sleeping on a couch in the living room. Arapahoe picked up an axe and struck the victim multiple times in the head and neck, killing him. Arapahoe then went into one of the bedrooms in the trailer and started a fire with materials from that room. When Arapahoe fled from the house fire, he crashed the truck containing items from the homicide.

United States v. Krystin Spotted Calf

Second Degree Murder

One night in August 2018, the defendant was drinking with family members and friends in Wanblee on the Pine Ridge Reservation. The defendant became belligerent and started arguing with her father. A short time later, the defendant became angrier and went outside the home, where she used a tire iron to break windows to a vehicle. When her father came out of the house to stop her, the defendant turned her rage toward him and began to beat him until he was knocked to the ground. While he was down, the defendant repeatedly struck him in the head with the tire iron. The father died as a result of blunt trauma injuries to his head. The defendant pleaded guilty to second-degree murder and was sentenced to 14 years in federal prison, followed by three years of supervised release.

United States v. Lester Waters

Assault Resulting in Serious Bodily Injury, Assault with a Dangerous Weapon, and Discharging a Firearm During and in Relation to a Crime of Violence

Lester Waters fired a pistol four times while at a party at a Pine Ridge residence on January 25, 2018. Three of the bullets struck one of the victims, ultimately paralyzing him from the waist down. Another bullet struck a second victim in the face, causing severe injuries and permanently disfiguring him. Waters claimed he acted in self-defense. After a weeklong trial, a jury convicted Waters of all six counts in the Indictment on May 24, 2019. Waters remains incarcerated at the jail pending resolution of post-trial motions and sentencing.

Rosebud Reservation



United States v. Arlene Siers

Conspiracy to Distribute Methamphetamine and Possession of a Firearm in Furtherance of a Drug Trafficking Crime

Arlene Siers conspired to distribute over 500 grams of methamphetamine on the Rosebud Sioux Indian Reservation from January of 2015 through August of 2018. On August 31, 2018, Siers and others were engaged in a drug deal in a vehicle at a gas station in Mission, South Dakota. Siers's vehicle was eventually stopped, and she was found in possession of a loaded handgun, methamphetamine, and drug paraphernalia. She pleaded guilty and was sentenced on August 27, 2019, to 20 years in federal prison, to be followed by 10 years of supervised release.

United States v. Marques Smith, a/k/a CC

Conspiracy to Distribute Methamphetamine

Marques Smith, a/k/a CC, orchestrated a methamphetamine distribution conspiracy throughout South Dakota from 2011 through 2018. Smith was a drug dealer in Sioux Falls, who traveled to the Lower Brule, Crow Creek, and Rosebud Sioux Indian Reservations to sell methamphetamine and marijuana. Smith sold kilograms of methamphetamine acquired from sources in Colorado, Minnesota, Missouri, and Nebraska. A jury convicted Smith after a three-day trial in October of 2019. Smith was sentenced to 19.5 years in federal prison, followed by 10 years of supervised release.

United States v. Dylan Blue Thunder

Assault Resulting in Serious Bodily Injury

On March 29, 2019, Dylan Blue Thunder stabbed an individual in the neck with a large kitchen knife, after an argument ensued at a house party. The resulting laceration was over three inches

and penetrated into the internal workings of the throat. On July 1, 2019, Blue Thunder pleaded guilty to Assault Resulting in Serious Bodily Injury. On September 24, 2019, Blue Thunder was sentenced to three years in federal prison, followed by three years of supervised release.

United States v. Roger Moran

Abusive Sexual Contact of a Child

Between February 2014 and August 2016, Roger Moran sexually assaulted a female victim under the age of 12. On March 21, 2019, Moran pleaded guilty to Abusive Sexual Contact of a Child. On June 18, 2019, Moran was sentenced to 15.5 years in federal prison, followed by five years of supervised release. Moran will be required to register as a sex offender upon release.

United States v. Logan Fast Horse

Assaulting a Federal Officer

On April 5, 2019, Logan Fast Horse was wanted by law enforcement. Once located and cornered at a residence, Fast Horse assaulted a federal officer with a wooden dowel. Fast Horse was subdued by the officer's deployment of pepper spray. On November 6, 2019, Fast Horse pleaded guilty to Assaulting a Federal Officer. On January 28, 2020, Fast Horse was sentenced to 30 months in federal prison, followed by three years of supervised release.

United States v. Robert Staples, Jr.

Involuntary Manslaughter

On September 14, 2018, Robert Staples, Jr. operated a vehicle while under the influence of marijuana. Staples ran over a young child who was playing in the street, killing her instantly. On May 28, 2019, Staples pleaded guilty to Involuntary Manslaughter. On August 12, 2019, Staples was sentenced to 37 months in federal prison, followed by two years of supervised release.

United States v. William Waukechon

Assault With a Dangerous Weapon; Discharging a Firearm During a Crime of Violence; and Failure to Appear

On June 3, 2018, Waukechon and another individual were at a residence in Mission. Following a verbal altercation with the victim, Waukechon got into a vehicle and proceeded to leave the scene. The victim threw a can of beer at Waukechon's vehicle, and the driver then stopped the vehicle. Waukechon produced a pistol, opened the vehicle door and fired two rounds in the

direction of the victim, striking the victim in the thigh. Following his arrest, Waukechon was released on bond and thereafter failed to appear for a scheduled court appearance. Waukechon pleaded guilty to Assault With a Dangerous Weapon, Discharging a Firearm During a Crime of Violence, and Failure to Appear. On July 1, 2019, Waukechon was sentenced to over 11 years in federal prison, followed by three years of supervised release.

United States v. Lawrence Gary, Jr.

Assault with a Dangerous Weapon

On January 20, 2018, Gary was at a social gathering at a residence near Rosebud. The victim was also present. At some point, Gary and the victim got into an argument and Gary began assaulting the victim, striking him with his hands and fists. Gary then stabbed the victim in the middle of his back and between his shoulder blades, with a knife. After he assaulted the victim, Gary left the victim lying on the floor and departed the house. Gary pleaded guilty to Assault With a Dangerous Weapon. While the case was pending sentencing, the victim passed away. On March 4, 2019, Gary was sentenced to seven years in federal prison, followed by three years of supervised release.

United States v. Marcitta Connors

Conspiracy to Distribute Methamphetamine

Marcitta Connors distributed methamphetamine in central South Dakota from January 1, 2015, through September 11, 2018. Connors worked with individuals in Nebraska and South Dakota to bring pounds of methamphetamine per trip into South Dakota to be distributed on the Rosebud reservation. Connors admitted that she was involved in the distribution of 15 kilograms to 45 kilograms of methamphetamine. Also, during the course of the conspiracy, many firearms were traded between Connors and others for methamphetamine. Connors pleaded guilty and was sentenced on November 4, 2019, to 25 years in federal prison, followed by six years of supervised release.

Standing Rock Reservation



United States v. Ronnie White Mountain

Aggravated Sexual Abuse of a Child and Aggravated Incest

A Mandan, North Dakota, man was convicted by a jury of Aggravated Sexual Abuse of a Child and Aggravated Incest on September 5, 2019. White Mountain was sentenced on January 9, 2020, to 30 years in federal prison, followed by five years of supervised release. The convictions stem from an incident which occurred sometime between December 2010 and December 2012, when White Mountain and the victim, who at the time was eight or nine years old, were visiting a family in McLaughlin, South Dakota. One night, while asleep, the victim woke up to find White Mountain's hand touching her. White Mountain then put his hand inside her pants and penetrated her vagina. White Mountain has appealed his conviction.

United States v. Brandon Ducheneaux

Assault of an Intimate Partner by Strangling and Domestic Assault by a Habitual Offender

A McLaughlin, South Dakota, man pleaded guilty to Assault of an Intimate Partner by Strangling and Domestic Assault by a Habitual Offender. On August 27, 2019, Ducheneaux was sentenced to five years in federal prison, followed by three years of supervised release. On March 4, 2016, Brandon Ducheneaux assaulted his significant other by using his hands to strangle her. At the time, Ducheneaux had at least eight prior tribal convictions for domestic abuse.

United States v. Dale Glick

Sexual Abuse of a Minor

A Little Eagle, South Dakota, man pleaded guilty to Sexual Abuse of a Minor. On December 27, 2019, Glick was sentenced to five years in federal prison, followed by five years of supervised release. The conviction stemmed from an incident involving Glick engaging in multiple sexual acts with a minor between August and November of 2017. During that timeframe, Glick had also provided the minor with methamphetamine, marijuana, and alcohol.

United States v. Daniel Brown

Involuntary Manslaughter

Daniel Brown of Bullhead, South Dakota, was convicted by a jury for unlawfully killing a passenger in his truck on September 8, 2018. Brown unlawfully killed the victim by operating a motor vehicle recklessly while under the influence of alcohol and a controlled substance. Brown had a blood alcohol content of .22 percent and methamphetamine in his system. While driving up an unmaintained steep hill that had a walking path, Brown lost control of his crew cab truck, causing it to roll down the hill. As a result of the roll, two people were ejected, including the individual who was killed. Brown was sentenced to five years in federal prison, to be followed by three years of supervised release.

Cheyenne River Reservation



United States v. Oscar Lance Whiteman

Assault Resulting in Serious Bodily Injury

Oscar Lance Whiteman brutally attacked his dating partner in June and August of 2019 in Eagle Butte, South Dakota, on the Cheyenne River Sioux Indian Reservation. Whiteman's June assault caused several fractures on the victim's face and his August assault exacerbated those injuries. Whiteman also severely beat a person his dating partner was with during the August assault, causing several fractures to his face as well. Whiteman pleaded guilty to two counts of Assault Resulting in Serious Bodily Injury, and on January 3, 2020, he was sentenced to 54 months in federal prison, to be followed by three years of supervised release.

United States v. DeeHawk Moran

Voluntary Manslaughter, Discharging a Firearm During a Crime of Violence, and Child Abuse

On November 11, 2017, Moran was at a house party in Eagle Butte, where the victim was also present. At one point, the victim was in the garage and got into an argument with another man, who was also attending the party. The victim took off his jacket and punched the man in the face. Moran, who was nearby, then produced a .22 caliber pistol and fired multiple shots at the victim, mortally wounding him. In an unrelated case, between September 2015 and June 2017, Moran abused, exposed, tortured, tormented, and cruelly punished a child. Moran pleaded guilty to Voluntary Manslaughter, Discharging a Firearm During a Crime of Violence, and Child Abuse. On September 23, 2019, Moran was sentenced to a total of 13 years in federal prison, followed by three years of supervised release.

United States v. Shawn Iron Hawk

Aggravated Sexual Abuse

Shawn Iron Hawk entered the residence of a 55-year-old female who lived alone, by pushing a window in, and crawling inside. Iron Hawk entered the bedroom where the woman was sleeping, struck her, and told her that he would kill her if she did not cooperate and do what he said. Iron Hawk sexually assaulted the victim. When the victim resisted, Iron Hawk struck her again; the more she attempted to fight Iron Hawk, the harder he would strike her. Iron Hawk pleaded guilty to Aggravated Sexual Abuse, and was sentenced on October 21, 2019, to 11 years in federal prison, to be followed by seven years of supervised release.

United States v. Lawrence Oakie

Abusive Sexual Contact of a Child

Lawrence Oakie was a guest at the home of the 10-year-old victim's guardian. During the night, Oakie entered the bedroom where the 10-year-old victim was sleeping. Oakie unzipped the child's "onesie" and touched her chest and genitalia through her bra and underwear. Oakie's crime was interrupted when the victim's 12-year-old sister entered the room. Oakie then left the room. The next day the girls disclosed to an adult what had happened, and law enforcement was contacted. Oakie was indicted with multiple counts of Abusive Sexual Contact of a Child. He pleaded not guilty and proceeded to trial. At trial, evidence was introduced that Oakie molested another 10-year-old girl under strikingly similar circumstances in 2015. The jury returned a verdict of guilty against Oakie on all counts. He was sentenced on January 13, 2020, to eight years in federal prison on each count, all to be served concurrently with each other. Following his release from custody, Oakie will be on supervised release for seven years. Oakie has appealed his conviction. The appeal is ongoing.

United States v. Raven Different Horse

Aggravated Sexual Abuse

Raven Different Horse was in a relationship with the victim. Different Horse became angry because he thought the victim was with another man. Different Horse repeatedly physically assaulted the victim. Raven Horse also forced the victim into the bathtub, attempted to drown her, and then threatened to electrocute her with a lamp while she was still lying in the bathtub. After removing her from the bathtub, Raven Horse used the electrical cord from the lamp to strangle her. Raven Horse then then sexually assaulted her using a crutch. Different Horse pled

guilty to Aggravated Sexual Abuse and was sentenced to seven years in federal prison, to be followed by five years of supervised release.

United States v. Shane Taken Alive

Arson

The Takini School campus consists of one large structure that serves as the main school building, and nine modular classrooms that make up the rest of the school. Shane Taken Alive went to the Takini School around midnight, broke the window to one of the modular classrooms, and entered the building. While inside, Taken Alive set fire to the building. This building and its contents were completely engulfed in flames and were a total loss. Taken Alive also broke into, ransacked, and used toilet paper to start three different fires inside a second modular classroom. Taken Alive poured two bottles of hand sanitizer on the toilet paper as an accelerant. Taken Alive pleaded guilty to Arson, and was sentenced to six years in federal prison, to be followed by four years of supervised release. Taken Alive was also ordered to pay \$572,506.50 in restitution for the damages to the two structures and the loss of contents inside.

United States v. Waylon Young Bird

Conspiracy to Distribute Methamphetamine, Possession with Intent to Distribute a Controlled Substance

Waylon Young Bird distributed methamphetamine in central South Dakota from January 1, 2016, through May 15, 2018. Young Bird was arrested during a traffic stop where 10 grams of methamphetamine was found hidden in his sock. A jury convicted Young Bird of conspiracy to distribute over 500 grams of methamphetamine on the Cheyenne River reservation. He was sentenced on May 14, 2019, to over 11 years in federal prison, followed by five years of supervised release.

Lower Brule Reservation



United States v. Boyer LaForge Jr.

Assault of Spouse by Strangulation

A Lower Brule, South Dakota, man was convicted of Assault of Spouse by Strangulation. Boyer LaForge Jr. was sentenced to 24 months in federal prison, followed by three years of supervised release. The conviction stemmed from an incident on February 4, 2019, wherein LaForge and his intimate partner were drinking and LaForge accused her of stealing money from him. LaForge continually asked the victim where his money was and then ultimately grabbed the victim by the throat and began to strangle her.

United States v. Jaron Grassrope and James Felicia

First Degree Burglary

Two Lower Brule, South Dakota, men were convicted of First Degree Burglary. Jaron Grassrope was sentenced to 14 months in federal prison, followed by three years of supervised release. James Felicia was sentenced to 24 months in federal prison, followed by three years of supervised release. The convictions stem from an incident on July 2, 2017, when Felicia and Grassrope entered an occupied structure, stole a PS4, and attempted to steal a television. When the owner of the home confronted Felicia and Grassrope, the Defendants stabbed him. Felicia and Grassrope fled from the residence and were apprehended later in the day.

United States v. Frank “Tank” Adams

Conspiracy to Distribute Methamphetamine

Frank “Tank” Adams distributed methamphetamine in central South Dakota from December 1, 2015, through November 14, 2018. Adams was the nucleus of a large drug trafficking conspiracy that involved well over 4,600 grams of methamphetamine and multiple individuals. Adams

supplied large quantities of methamphetamine several times a month to the Crow Creek and Lower Brule reservations. A jury convicted Adams and he was sentenced on November 25, 2019, to 30 years in federal prison, followed by seven years of supervised release.

Crow Creek Reservation



United States v. James Blue, Jr.

Abusive Sexual Contact of a Child Incapable of Consent

A Chamberlain, South Dakota, man was convicted of two counts of Abusive Sexual Contact of a Child Incapable of Consent and sentenced to 12 years in federal prison on January 2, 2020. The conviction stemmed from multiple incidents between 2011 and 2015, which occurred on the Crow Creek Indian reservation. During this time, James Blue Jr., engaged in sexual acts with two minors who had not attained the age of 12 years, and who were incapable of appraising the nature of the conduct and declining participation and communicating an unwillingness to engage in the abusive sexual contact.

United States v. Chad Pease and Julia Pease

Aiding and Abetting Sexual Abuse of a Minor

A married Fort Thompson, South Dakota, couple was convicted of Aiding and Abetting Sexual Abuse of a Minor. Julia Pease was sentenced on November 18, 2019, to 24 months in federal prison, followed by five years of supervised release. Chad Pease was sentenced on January 2, 2020, to 34 months in federal prison, followed by five years of supervised release. The conviction stemmed from an incident on July 6, 2015, where Julia and Chad engaged in a sexual act with a minor under the age of 16.

United States v. Roland Hawk, Sr., Francine Middletent, Roxanne Sazue, Jacqueline Pease, Brandon Sazue, and Tina Grey Owl

Theft & Embezzlement from an Indian Tribal Organization

Roland Robert Hawk, Sr., Francine Maria Middletent, Roxanne Sazue, Jacquelyn Pease, Brandon Sazue, and Tina Grey Owl were all convicted of embezzling from the Crow Creek Sioux Tribe, while

servicing in an elected position or in a position of trust. In about March 2014 through February 2019, the defendants embezzled, stole, willfully misapplied, willfully permitted to misapplied, and converted to their own use nearly \$1,000,000 of monies, funds, credit, goods, assets, and other property belonging to the Crow Creek Sioux Tribe. During times relevant to each defendant's case, Brandon Sazue served as Chair of the Crow Creek Sioux Tribe, Hawk served as the elected Treasurer of the tribe, Roxanne Sazue was also Chair, and Middletent and Grey Owl were elected councilpersons. When not servicing in their respective leadership positions, all defendants, except for Brandon Sazue, worked for Hawk in the tribe's finance office. In their respective leadership roles and employment positions, the defendants had access to the funds that were embezzled from the tribe.

Brandon Sazue was sentenced to three months imprisonment, followed by three years of supervised release, and ordered to pay \$17,330 in restitution; Roland Robert Hawk Sr. was sentenced to 42 months imprisonment and ordered to pay \$325,762.50 in restitution; Francine Maria Middletent was sentenced to 30 months imprisonment and ordered to pay \$273,817.55 in restitution; Tina Grey Owl was sentenced to a split sentence of 10 months imprisonment and ordered to pay restitution in an approximate amount of \$190,000; Roxanne Lynette Sazue was sentenced to a split sentence of five months imprisonment and ordered to pay \$43,300 in restitution; Jacqueline Ernestine Pease was sentenced to three years of probation and ordered to pay \$74,100 in restitution.

Sisseton Wahpeton Oyate Reservation



United States v. Brendon Javon Jacob Rodlund

Sexual Abuse

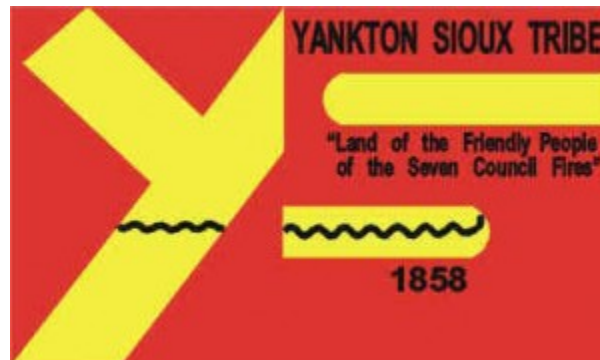
A Sisseton man was sentenced on December 27, 2019, to over 13 years in federal prison, followed by 10 years of supervised release, for sexual abuse. According to court documents, April 30 and May 1, 2016, Rodlund knowingly engaged in a sexual act with a juvenile victim while the victim was physically incapable of declining participation in and communicating her unwillingness to engage in the sexual act. Rodlund knew the victim was incapacitated. During the investigation of this sexual assault, Rodlund also lied under oath to the U.S. District Judge while testifying at a federal court hearing involving the victim and others. Rodlund's untruthful testimony was used to enhance his sentence for the sexual assault of the victim.

United States v. Thomas Dion DeMarrias

Abusive Sexual Contact and Felony Child Abuse

A Peever man was sentenced on November 4, 2019, to 20 years in federal prison, followed by five years of supervised release for abusive sexual contact and felony child abuse. According to court documents, between on or about May 9, 2010, and continuing through on or about May 8, 2011, in Robert's County, DeMarrias forcefully engaged in and attempted to engage in sexual contact with a juvenile victim, that is, sexual contact, by using force. DeMarrias had the intent to abuse, humiliate, harass, and degrade the victim and had the intent to arouse and gratify his sexual desires. Between on or about June 22, 2009, and continuing through on or about June 21, 2011, in Roberts County, DeMarrias abused, tortured, and cruelly punished a child by using a dangerous weapon during and in relation to such conduct.

Yankton Reservation



United States v. Michael Weddell, Jr.

Abusive Sexual Contact by Force

Michael Weddell, Jr. sexually assaulted a child who had not attained the age of 12 years. He sexually assaulted the child several times and threatened to hurt her and/or her younger sister if she told anyone. Weddell was sentenced to 10 years in federal prison, followed by five years of supervised release.

United States v. Anthony Fobb

Abusive Sexual Contact

Between August 16, 2017, and December 20, 2017, Anthony Fobb intentionally, directly and through the clothing, engaged in sexual contact with a 12-year-old girl. Fobb was sentenced to 19.5 years in federal prison, followed by five years of supervised release.

United States v. Jeremy Aungie

Aggravated Sexual Abuse of a Child

Jeremy Aungie repeatedly sexually abused a girl from the time she was eight years old until she was 13 years old. The 33 year-old Aungie also physically abused a girl by hitting, slapping, pulling her hair, and choking her. In June of 2019, a federal jury convicted him of two counts of aggravated sexual abuse of a child. Aungie was sentenced to 35 years in federal prison for each count to run concurrently, followed by five years of supervised release.

United States v. Gavin Little et al.

Kidnapping and Assault Resulting in Serious Bodily Injury

Gavin Little and Christian Garcia, along with two juvenile males, assaulted an adult male at a home in East Housing of Marty, South Dakota. After the victim was severely beaten and lost consciousness, Little loaded him into the victim's car and left the scene. A high-speed chase ensued before Little abandoned the vehicle in a ditch and fled on foot. The victim suffered a brain injury and intracranial hypertension. A CT scan revealed multiple fractures of his jaw, nasal, and orbital areas. Both defendants pleaded and Little was sentenced to 17.5 years in federal prison, followed by four years of supervised release. Garcia was sentenced to 30 months in federal prison, followed by three years of supervised release. Both juveniles were also adjudicated.

CIVIL DIVISION

Headed by Civil Chief Diana Ryan, the Civil Division represents the interests of the United States in litigation involving the federal government in the District of South Dakota. Its mission includes promoting the fiscal integrity of the federal government by conducting meaningful community outreach to educate citizens about fraud prevention and filing affirmative lawsuits against individuals and companies who misuse or falsely claim entitlement to federal money. The Civil Division also defends the interests of the United States in cases where the government or government employees are sued for acts related to official business. Our defensive work includes supporting Final Agency Decisions in regulatory and employment determinations. We also defend the United States in personal injury or medical malpractice litigation brought pursuant to the Federal Tort Claims Act.

TORT LITIGATION

Michael Katon, Individually, and as Guardian Ad Litem for C.K., K.K, and T.K., and Sara Katon v. United States of America (USPS – Federal Torts Claims Act)

On September 20, 2013, a postal service employee was involved in a motor vehicle accident. His USPS vehicle collided with a vehicle being operated by plaintiff, Ms. Katon, who was traveling with three minors. The USPS worker did not see Ms. Katon's vehicle and was not ticketed for the accident. Ms. Katon was eventually diagnosed with a neurocognitive disorder due to a TBI. One minor involved in the accident was treated for multiple symptoms, including a cerebral irritation. This case was extremely voluminous as plaintiffs brought forth eleven experts in support of their claims. The case was resolved through mediation.

Bettelyoun v. United States (FTCA, DOI/Bureau of Indian Education)

This is a Federal Tort Claims Act (FTCA) case involving injuries a minor child sustained when she fell off scaffolding while decorating for the eighth grade graduation ceremony at the American Horse School in Allen, South Dakota, on the Pine Ridge Indian Reservation. The American Horse School is a Tribally Controlled Schools Act grant school, under the authority of the Bureau of Indian Education, who is the federal agency involved in the litigation. The American Horse School athletic director, who was also an eighth grade parent, was pushing the scaffolding when it collapsed while the child was on it. The minor child broke her right hip and ankle, requiring surgery. The United States resolved this case through mediation.

Pautre Fire Litigation (FTCA, USDA/USFS)

On April 3, 2013, the United States Department of Agriculture's Forest Service ("Forest Service") ignited a prescribed fire on the Grand River National Grassland in northwestern South Dakota. The Forest Service implemented the prescribed fire in accordance with an approved prescribed fire plan. Nonetheless, the prescribed fire escaped holding lines, became a wildfire, and eventually burned 10,679 acres, including 3,519 acres of federal land and 7,160 acres of private land. As a result, fourteen plaintiffs brought an action against the Forest Service, alleging negligence in the preparation of the burn plan and in its subsequent implementation. In 2019, ten settlements were reached through mediation. A Summary Judgment motion is pending against an additional plaintiff, and trial on the merits is anticipated with regard to the remaining parties.

Colombe v. United States (FTCA, BIA/Rosebud Tribal Police)

In the early morning hours of May 1, 2015, a young woman lost her life in a high-speed vehicle chase on the Rosebud Sioux Indian Reservation. Slightly before 5:00 a.m., a Rosebud Sioux Tribe (RST) Police Officer attempted to stop a speeding and drifting vehicle that was driving on Highway 18. The vehicle initially pulled over in response to the officer's lights and sirens. However, as the officer approached, the driver drove away through neighborhood housing areas and back onto the highway. Other officers joined the pursuit, and the fleeing driver led them on a chase that reached speeds of 80 to 100 miles per hour. The chase ended when the fleeing driver lost control of her vehicle on a gravel road and crashed. She was ejected from the vehicle and died at the scene of the accident. Tests later showed the fleeing driver's blood alcohol level was .163 and she had THC in her system. The deceased driver's family claimed that the police should not have initiated the pursuit, or, in the alternative, should have terminated the vehicle chase. The government's position was that the RST officers were performing a discretionary duty when they engaged in a vehicle pursuit, and the federal government did not waive sovereign immunity for discretionary decisions such as deciding whether to initiate or terminate a high-speed chase. The district court agreed that the means by which the government enforces the law is protected by the discretionary function exception to the FTCA holding such decisions pertaining as to whether to initiate or continue a vehicle pursuit clearly implicate "competing and legitimate concerns of public safety and require determinations about priorities of serious threats to public health and the allocation of limited law enforcement resources." Therefore, although recognizing the tragic circumstances, the court lacked jurisdiction to hear the case and the government's motion to dismiss was granted.

Dubray v. United States (FTCA, BIA/Pine Ridge Police Officer)

The Pine Ridge Police Department received a 911 call reporting a stabbing in progress at the elderly apartment complex parking lot in Kyle, South Dakota. While trying to flee from her assailant, the victim was punched by him in the head and fell to the ground. Fifty seconds later, a tribal officer responding to the 911 call drove into the parking lot. The sun was setting above the apartment complex and the officer was momentarily blinded so, that as he drove into the lot, he did not see the victim lying on the pavement and ran over her head with his patrol car, instantly killing her. Family members witnessed the accident. The case was settled.

Hollow Horn v. United States (FTCA, HHS/IHS/Eagle Butte)

On January 19, 2016, a government driver employed as a Cheyenne River Sioux Tribal Home Health nurse was returning from a home visit to a patient when she collided with the plaintiff's vehicle. The government driver advised the responding police officer that her cell phone was ringing on the floor, so she "went down to pick it up, and that is when the accident happened." The government vehicle crossed the middle of the road, causing the plaintiff to drive on the shoulder in order to try to avoid the oncoming car. The government car continued drifting over onto the shoulder, crashing into the driver's front end of the plaintiff's car and pushing it off the road. Both drivers were injured in the crash and taken to the hospital. The plaintiff incurred damages for medical bills, lost wages, and pain and suffering. This case was settled.

Kraft v. United States (FTCA, U.S. Air Force/Ellsworth AFB)

A U.S. Air Force (USAF) vehicle, driven by a USAF employee, accidentally struck the pedestrian plaintiff. The accident occurred at 5:43 a.m. when the plaintiff was walking on the shoulder of the road on his way to work on the Base. As he crossed the entrance to the Visitor Center parking lot, the USAF vehicle ran over him. It was dark at the time and the USAF driver did not see the plaintiff until immediately before she hit him. The plaintiff suffered a broken fibular and medial malleolus, which required a cast and wheelchair for three months, followed by physical therapy. He also sustained lost wages and incurred medical bills. The case was resolved through a settlement.

PROGRAM LITIGATION

Flandreau Santee Sioux Tribe v. United States Department of Agriculture (TRO)

The Flandreau Santee Sioux Tribe filed a motion for a temporary restraining order and preliminary injunction against the United States Department of Agriculture (USDA) in May 2019.

The Tribe, pursuant to the 2018 Farm Bill, sought to have the USDA approve its “hemp plan” so it could begin growing hemp in the 2019 growing season. The plan, if approved, would have allowed the Tribe to take primary regulatory authority over the growth of hemp on the reservation. USDA, however, was still in the process of promulgating regulations as required under the 2018 Farm Bill, and indicated it would not review hemp plans from any state or tribe until those regulations were in place. After a hearing, the federal district court denied the motion finding that the Tribe was unlikely to succeed on the merits of the case. Accordingly, plaintiff filed a notice of voluntary dismissal and the case was dismissed on July 1, 2019.

Holly Lundahl v. Gross et al. (USDA – housing loan denials challenged)

Plaintiff alleged that USDA loan officers and a private appraiser hired by USDA to appraise property that the plaintiff wanted to purchase violated the Equal Credit Opportunity Act, the Rehabilitation Act, the Fair Housing Act, and the Equal Protection Act guarantees under the Constitution because the appraisal was not conducted fast enough, and because USDA ultimately denied her loan application based on “numerous discrepancies throughout her application documents and conflicting or ambiguous information” that she provided to the agency. USDA advised the plaintiff it could not issue loan closing instructions until it has reviewed completed information and could verify her assets, debts, income, and repayment ability. Rather than provide the requested information to the agency, Lundahl sued the federal government and the private appraiser. The district court dismissed the lawsuit, noting that Lundahl failed to assert facts that showed she was a disabled individual who was qualified to receive the loan. In addition, the failure to complete the appraisal on time was not alleged to be related to any discrimination against her. Submitting a FTCA administrative claim is not a protected activity under the Fair Housing Act, and accordingly Lundahl failed to state any claim upon which the court could grant relief. Lundahl’s complaint was dismissed without prejudice. The plaintiff is appealing.

Larson v. Saul (SSA Disability Appeal)

In Social Security disability cases where the plaintiff prevailed, the court assessed the \$400 filing fee against the government as a cost, even where the plaintiff was proceeding in forma pauperis (IFP) and did not actually incur that expense. Because this practice was prohibited by the in forma pauperis statute, 28 U.S.C. § 1915, the government challenged it and won, saving the government from having this cost assessed against it in all future cases. Now, IFP plaintiffs who prevail on their SSA claims reimburse the district court for the \$400 filing fee from their recovery.

Gilbert v. Indian Health Service (Challenge to HHS/IHS contract)

Plaintiffs sued the Indian Health Service (IHS) seeking a declaratory judgment that the IHS must rescind a tribal self-determination contract with the Great Plains Tribal Chairmen's Health Board to provide services at the Oyate Health Center in Rapid City South Dakota, for members of the Oglala Sioux and Cheyenne River Sioux Tribes. Plaintiffs are Native American members of the Rapid City community who asked the court to reinstate IHS control over the Rapid City facilities. The plaintiffs' case was dismissed by the district court who found they did not have standing to challenge the IHS's decision to enter into the self-determination contract since the laws that apply were enacted to promote tribal control over federal healthcare. The court further held that the 1868 Fort Laramie Treaty does not provide a private right of action, and the Health Board, who was not sued in this case, is an indispensable party that cannot be joined due to tribal sovereign immunity. The plaintiffs filed an appeal.

Rosebud Sioux Tribe v. Indian Health Service, et al. (HHS/IHS)

The Rosebud Sioux Tribe received a declaratory judgment that the 1868 Fort Laramie Treaty, which required one physician and one residence for that physician, requires the Indian Health Service to provide "competent physician-led health care" to the Rosebud Sioux Tribe and its members. The government has filed a Notice of Appeal.

Gonzalez v. R. Bendt (BOP – Constitutional Appeal)

Guadalupe Gonzalez filed a *Bivens* action against various personnel at the Federal Prison Camp (FPC) in Yankton, South Dakota, alleging retaliatory discipline, retaliatory transfer, retaliatory work reassignment, and a violation of his rights under the Equal Protection Clause. Although the government moved to dismiss the action in its entirety, the court allowed the case to proceed against R. Bendt for allegedly retaliating against Gonzalez by not providing him with necessary forms to complete the administrative remedy appeal process. Gonzalez was utilizing the administrative remedy process to challenge FPC's refusal to provide Gonzalez access to a particular book—Federal Aviation Regulations/Aeronautical Information Manual (FAR/AIM). At the close of discovery, the government filed a motion for summary judgment arguing that the court should depart from other circuits and find no available *Bivens* remedy for an alleged violation of the First Amendment. Relying on the analysis set forth in Ziglar v. Abbasi, 137 S. Ct. 1843 (2017), the court found that this action was meaningfully different from other *Bivens* cases and declined to find a *Bivens* remedy in the First Amendment context because there were "special

factors counseling hesitation.” The court dismissed the case. The prisoner filed an appeal, and oral argument has been scheduled before the Eighth Circuit Court of Appeals.

DEFENSIVE FORECLOSURE LITIGATION

The USAO opened 61 defensive foreclosure files in 2019. This is compared to 63 cases in 2018, 69 cases in 2017, 90 cases in 2016, 73 defensive foreclosure cases in 2015, 55 cases in 2014, 82 cases in 2013, 84 cases in 2012, 86 cases in 2011, and 116 cases in 2010. In most foreclosures, banks or other lending institutions bring an action in state court. The USAO becomes involved in a defensive foreclosure when a government agency has a lien on the foreclosed property. The agencies most often involved in these types of cases are the Internal Revenue Service (IRS), Department of Housing and Urban Development (HUD), Farm Service Agency (FSA), and Rural Housing Service (RHS). The majority of the USAO’s defensive foreclosure cases involve tax liens filed by the IRS.

First Dakota Nat’l Bank v. PEG USA Project 1, LLC, et al. (SBA loan foreclosure)

PEG USA Project 1, LLC was a recycling business located in Beresford, South Dakota. PEG took out two 504 loans from the Small Business Administration for real and personal property associated with the business. PEG defaulted on all loans. Plaintiff obtained appointment of a receiver in this action to take possession of the collateral. Receiver filed a motion seeking, among other things, the court’s approval to conduct an auction to sell substantially all of PEG’s assets. SBA objected asserting that 28 U.S.C. § 2410 provides the SBA with a one-year redemption period. Eventually, a settlement agreement was reached between the bank and SBA, which resulted in a \$20,000.00 payment to SBA.

Dakotaland Federal Credit Union v. Craig Christeson, et al. (DOJ Lien foreclosure)

Mr. Christeson was a postal employee who admitted to falsifying money orders in order to obtain cash for his own monetary gain. A Criminal judgment was entered against him in the District of South Dakota in the amount of \$8,970.71, and a Civil Judgment was entered against him in the District of South Dakota in the amount of \$353,441.42. The DOJ filed liens against his real property located in Arlington, South Dakota. Plaintiff Dakotaland Federal Credit Union had a first lien on said real property and obtained a Judgment and Decree of Foreclosure for \$54,281.96 as of October 14, 2018. Defendants Craig and Megan Christeson desired to sell the property. The parties desired to avoid delay, uncertainty, inconvenience, and expense of protracted litigation, so they entered into a Stipulation which set forth, in pertinent part, that Craig John Christeson

would pay to the United States the total amount of \$10,845.00. This amount paid the criminal restitution in full and a small portion of the Civil Judgment.

Aberdeen Federal Credit Union v. Jeffrey F. Fix., et al. (DOJ Lien foreclosure)

The relevant lien in this matter was a criminal restitution lien with the Department of Justice. The DOJ filed an answer and claimed first priority in the property because its lien was filed prior to the relevant mortgage. The property was sold subject to the United States' lien. Plaintiff, Aberdeen Federal Credit Union, moved to reduce the redemption period, and the motion was granted. DOJ received a full payoff in the amount of \$ 24,186.48.

AFFIRMATIVE FRAUD LITIGATION

The USAO works jointly with the State of South Dakota, the Department of Health and Human Services, the National Science Foundation, NASA, the Department of Education, and the U.S. Postal Service to recover reimbursement for money fraudulently obtained through false statements made to federal agencies, and for services not rendered or not provided by qualified medical personnel. Highlights of our civil affirmative enforcement efforts in 2019 include the following:

United States of America v. Scott Thompson (NSF)

Scott Thompson submitted multiple requests for grants from the National Science Foundation (NSF) and received approximately \$2.5 million for eight different grants since 1994. In 2009, Thompson submitted a proposal claiming that a post doctorate candidate would be a principal investor of a project. Thompson received a grant of \$100,000. Thompson was indicted and found guilty at trial of two counts of False Claims (18 U.S.C. § 287), two counts of False Statements (18 U.S.C. § 1001), two counts of Wire Fraud (18 U.S.C. § 1343), and one count of Receiving Stolen Government Money (18 U.S.C. § 641). Thompson was sentenced to probation and ordered to pay restitution in the amount of \$87,637.89. Based on the criminal conduct, the United States filed a civil action alleging fraud and obtained a judgment of \$222,362 (double damages and penalties) under the False Claims Act. During this reporting period, Thompson appealed the civil judgment. The appeal is pending.

United States of America v. Gina Kim, et al. (NASA, NSF, DOE)

Wallace Tang, d/b/a/ MicroAssembly Technologies, Inc., and Blue Sky Engineering, Inc.; Gina Kim, d/b/a Black Hills Nanosystems, Inc.; and Sine Chao, d/b/a Laserlith Corp submitted several

Small Business Innovation Research (SBIR) Program and Small Business Transfer Technology Research (STTR) Program proposals to the National Science Foundation (NSF), the National Aeronautics and Space Administration (NASA), and the Department of Energy (DOE). NASA OIG initiated a review of SBIR/STTR awards and referred the matter to the United States Attorney's Office (USAO). In May 2018, the USAO reached a pre-indictment plea agreement where Wallace Tang, and the corporations listed through their principals, pleaded to Wire Fraud, Conspiracy to Commit Wire Fraud and paid restitution totaling \$1,084,418 to the agencies involved. Based on the criminal conduct, the United States has filed a civil action alleging fraud and seeks penalties under the False Claims Act. The litigation is ongoing.

AFFIRMATIVE FORECLOSURE LITIGATION

United States v. Leota Greeley, et al. (Affirmative Foreclosure/HUD)

The United States filed a complaint against the debtors and the Oglala Sioux Tribe seeking to foreclose a loan Housing and Urban Development (HUD) issued to Leota Greeley's husband under the provisions of Section 184 of the Housing and Community Development Act. The loan was secured by the deceased's (Leota Greeley's husband's) leasehold mortgage/interest on real property that was held in trust. After the Leaseholder passed away, the United States obtained from his wife a voluntary transfer of her interest in the improvements to the leasehold. The United States attempted to file the transfer documentation with the Bureau of Indian Affairs (BIA), but the BIA rejected it because the wife is not a tribal member. HUD offered to sell the property for \$10 as part of a buyback program, and the Tribe purchased HUD's interest in the property.

***QUI TAM*LITIGATION**

United States of America ex rel. Bechtold, et al. v. Asfora, et al. (*qui tam* - HHS)

A healthcare fraud *qui tam* complaint was filed August 12, 2016, against neurosurgeon Dr. Wilson Asfora, Sanford Health, Sanford Clinic, and Medical Designs, LLC (owned by Asfora). The complaint, filed by fellow doctors at Sanford Health, alleged that knowingly false claims were submitted to federal healthcare programs, which resulted in violations of the Anti-Kickback Statute and medically unnecessary spinal surgeries. The allegations were investigated jointly by the South Dakota U.S. Attorney's Office, HHS-OIG, and DOJ's Civil Division. In October 2019, Sanford Health agreed to pay \$20.25 million to resolve the allegations that it knew Dr. Asfora was improperly receiving kickbacks from use of implantable devices distributed by his physician-owned distributorship (POD). Contemporaneous with the civil settlement, Sanford entered into a Corporate Integrity Agreement (CIA) with the HHS OIG. Defendants Sanford Health and Sanford Clinic were dismissed from the litigation on November 5, 2019, and the United States filed a complaint against defendants Dr. Wilson Asfora, Medical Designs, LLC, and Sicage LLC, on November 13, 2019. The litigation against the remaining defendants is ongoing.

AFFIRMATIVE CIVIL RIGHTS INVESTIGATIONS

Apple Tree Childcare Facility (ADA Complaint)

This complaint was resolved through informal mediation. Apple Tree drafted and now enforces a written ADA non-discrimination policy, which includes a process by which individuals can request reasonable modifications under the ADA to accommodate a child with disabilities. In addition, Apple Tree included within its 20 hours of annual mandatory training information regarding the new non-discrimination policy, as well as its obligations under the ADA.

Huron Department of Social Services (ADA Complaint)

The complaint was resolved through informal mediation. Huron DSS identified an accessible visitation site for Complainant and his family to have parent/child visitation. DSS also revised its written non-discrimination policy to include additional information related to available accommodations and provided the link to civil rights training.

Belle Fourche School District (ADA Complaint)

Respondent re-striped the high school parking lot to allow for accessible parking, posted accessible entrance signage, modified the handrails on a ramp in the high school lobby, replaced

45 door knobs with lever-style knobs, installed accessible signage at the entrance of the football stadium, lowered the service counter at the football stadium's ticket booth, modified bathrooms at the football stadium to fully comply with the ADA (relocated coat hooks, paper towel dispensers, and toilet paper dispensers, installed accessible signage with braille, installed door pulls on the inside of the accessible stalls, installed rear and side grab bars in accessible stalls, replaced compartment door hinges with self-closing hinges); Respondent has long-term plans to remedy issues related to the slope of accessible parking at the football stadium, as well as the counter height of the stadium's concession stand; Respondent also has a long-term plan to replace panic bars on six doors.

Civil Rights Outreach

The Civil Rights AUSA engaged in outreach to a Lower Brule elder's group (twice); assisted in outreach related to pipeline protests; participated in Houses of Worship outreach with other federal entities; and accompanied our Native American Victim Witness Supervisor for outreach to the Harrisburg School District about Native American culture.

FREEDOM OF INFORMATION ACT ("FOIA")

In 2019, the U.S. Attorney's Office opened six new cases relating to requests for information from the South Dakota U.S. Attorney's Office or the Department of Justice under the Freedom of Information Act ("FOIA"). FOIA defines when an individual or third-party can receive records from a government agency. In addition, the office continued to work with the USDA on the FOIA litigation that was decided by the U.S. Supreme Court:

Argus Leader v. USDA (Food Stamp Redemption Disclosure Case)

The United States Supreme Court issued a final decision in a South Dakota FOIA case that has been in active litigation since 2011. This case settled the question of whether retail information related to food stamp redemption may be disclosed to the public. The Argus Leader news organization sought annual redemption totals of retail stores in connection with the Supplemental Nutrition Assistance Program, commonly referred to as "SNAP," from the United States Department of Agriculture. USDA had objected to providing the information, claiming it was confidential. The federal district judge and the Court of Appeals for the Eighth Circuit overruled USDA's objections to disclosure. However, the Food Marketing Institute filed an appeal to the U.S. Supreme Court, a trade association representing food retailers who opposed the release of the information on grounds it could harm their competitive businesses. The

Supreme Court decided against disclosure, holding that SNAP financial information is not subject to release pursuant to FOIA Exemption 4, which shields from disclosure commercial or financial information obtained from a person that is privileged or confidential. The Argus Leader's earlier award of costs and attorney fees was vacated by this opinion, and the district court denied a request for a new trial on the merits.

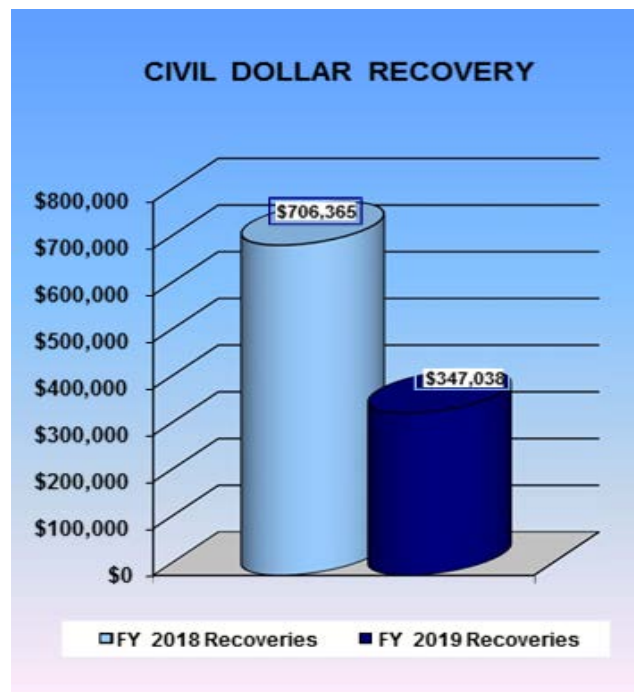
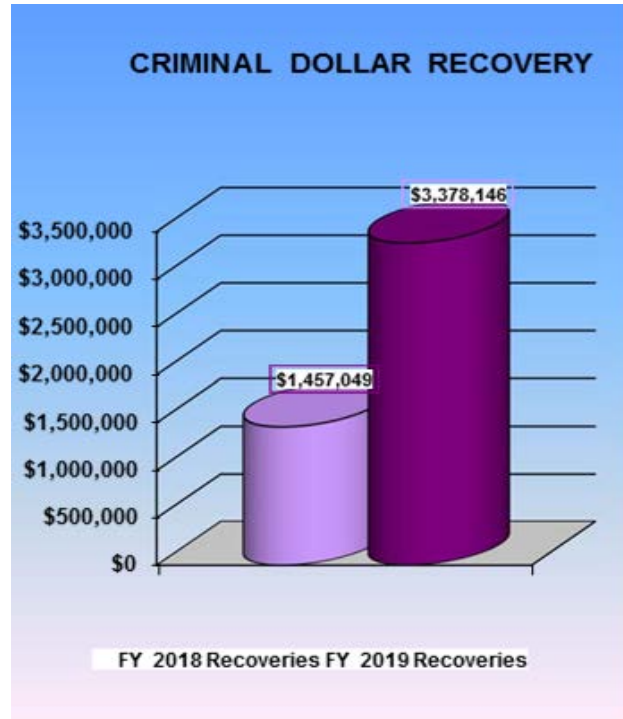
BANKRUPTCY

When a debtor files for bankruptcy and owes student loans to the Department of Education, owes taxes to the Internal Revenue Service (IRS), or when tax liens are filed by the IRS against a debtor, or another debt is owed to a governmental agency, the United States of America is often listed as a creditor. The majority of the 25 new bankruptcy cases opened in 2019 by the U.S. Attorney's Office involved the IRS. The Clerk's office at the South Dakota Bankruptcy Court reported that the number of bankruptcy cases filed in 2019 in South Dakota decreased by 10.98% from the number of bankruptcies filed in 2018.

Nationwide statistics show that 757,497 bankruptcy cases were filed in the United States in 2019, an increase of 0.28% from 2018. However, the federal government is not a party in every case. The states with the most per capita bankruptcy filings in 2019 were Alabama, Tennessee, Georgia, Mississippi, and Illinois. Alaska had the fewest per capita bankruptcy filings in 2019, followed by Vermont, Maine, North Dakota, and Massachusetts.

FINANCIAL LITIGATION UNIT

The Financial Litigation Unit (FLU), housed in our Civil Division under the leadership of Diana Ryan, Cheryl DuPris, and Erin Bidne, is responsible for activities related to the collection of civil debts owed to federal agencies, as well as the collection of restitution, fines, penalties, assessments, and court costs imposed by the court in criminal judgments.



The goal of the U.S. Attorney's Office is to fairly achieve the maximum amount of recovery with the least amount of cost for each affirmative claim or debt. This office strives to collect debts due to the United States and victims of crimes in a timely, aggressive, efficient, and cost-effective manner.

COLLECTION EFFORTS

FLU collected \$3.7 million in civil judgments and criminal payments in fiscal year 2019. Although all recoveries are vitally important, the recovery of restitution in an effort to make victims whole is a high priority of this office. In 2019, of the \$3,378,146 recovered from criminal judgments, \$3,191,923 was returned to victims of crime. The balance of the money was deposited into the Crime Victims Fund to fund programs that assist crime victims.

The government shutdown during the fiscal year 2019 did cause a lapse in the enforcement of restitution as the Financial Litigation Unit was not working during the shutdown. The USAO-SD still managed to file 15 garnishment actions in 2019. We also closed 331 cases with the judgments paid in full. Two debtors made their final debt payments rather than be compelled to disclose additional financial information to the federal government. Jorge Pena paid \$16,641.40 after he was prosecuted and ordered to pay restitution for illegally selling eagle and hawk feathers. That money was paid to U.S. Fish and Wildlife Foundation. Jared Adrian paid \$346,742.70 in restitution to the IRS for failure to pay taxes. In addition, other significant restitution payments were collected as a result of the prosecutor making restitution a priority at sentencing:

- Black Hills Nanosystems Corp., Blue Sky Engineering, Inc., Laserlith Corp. and Wallace T jointly to paid \$1,084,418.60 to the victims National Science Foundation, NASA, and the Department of Energy. Their criminal restitution judgment was paid in full.
- Robert Lytle and Irina Kossovskiaia were each ordered to pay restitution to hundreds of victims for Conspiracy to Introduce Misbranded Medical Devices into Interstate Commerce. Robert Lytle paid \$637,000 toward restitution on his judgment. Irina contributed \$31,395 towards restitution on her judgment paying the priority 1 victims in full.
- David Foster was ordered to pay \$130,500 in restitution and a \$5,000 assessment for Possession of Child Pornography. The initial \$120,100 payment was followed by a couple smaller payments to pay this judgment in full.

APPELLATE DIVISION



The Appellate Division, supervised by Appellate Chief Kevin Koliner, oversees all appellate litigation involving criminal and civil cases in which the U.S. Attorney's Office represents the federal government. Handling appeals represents a distinct form of advocacy. Appellate courts do not take evidence or adjudicate facts like a trial court or a jury. Instead, appellate courts consider only discrete legal issues arising out of one party's challenge to an order or judgment of a trial court.

Appellate lawyers for the U.S. Attorney's Office carefully review the records of trial court proceedings, prepare detailed written briefs, and, in most cases, argue their appellate cases before the U.S. Court of Appeals for the Eighth Circuit which is based in St. Louis, Missouri. Eighth Circuit appellate decisions are generally precedential and govern the disposition of subsequent similar issues litigated in the trial courts of all seven states within the Eighth Circuit, not just South Dakota's federal district courts.

The Appellate Division's caseload involves a wide variety of legal issues and different types of substantive law. In many cases, it represents the government in appeals filed by criminal defendants who are seeking appellate review of their convictions or sentences. Roughly half of these cases involve violent crimes committed in Indian Country. The remaining criminal appeals deal with other federal offenses such as large-scale drug conspiracies, immigration, firearms offenses, human trafficking, and child pornography cases.

The Appellate Division also handles civil appeals which result from civil claims brought by the government or against it. These appellate cases include defending against tort claims brought by individuals or representing federal agencies in challenges to their administrative actions. Civil appeals can also include cases in which the United States has brought an action to advance or enforce a federal right.

SIGNIFICANT CASES

United States v. Bruguier

The defendant was convicted of four counts of sexual abuse, eight counts of aggravated sexual abuse of a child, and three counts of abusive sexual contact, related to four victims. He was sentenced to twelve life sentences and three concurrent terms of 120 months in prison. On

appeal, Bruguier argued the district court erred when it excluded from trial evidence a self-serving statement his late girlfriend made to an FBI agent before she died. The Eighth Circuit Court of Appeals affirmed the district court's decision to exclude the statement because, under the circumstances, the statement did not carry circumstantial indicators of trustworthiness. It was made long after the episodes of abuse, she was not under oath, and she had an incentive to help her romantic partner who was accused of serious crimes. The appellate court also affirmed the district court's decision to raise Bruguier's sentence because he committed perjury when he testified at trial.

United States v. Saucedo

The defendant was convicted of being involved in a drug conspiracy surrounding the distribution of large quantities of both methamphetamine and cocaine. While his drug conspiracy case was pending, he was indicted in a separate matter for retaliating against a witness when he and other inmates ruthlessly assaulted another inmate they believed was cooperating with law enforcement. Between the two cases, Saucedo was sentenced to serve 35 years in prison. On appeal, he argued that sentence was unreasonably long. The Eighth Circuit Court of Appeals acknowledged that the sentences are lengthy, but it affirmed them, noting that the circumstances here included large-scale drug trafficking and a violent jail assault.

United States v. Bradshaw

The defendant was convicted of various methamphetamine distribution offenses. On appeal, he argued that a last-minute request he made to switch defense lawyers and delay the jury trial should have been granted and that the trial evidence was insufficient to support his convictions. The Eighth Circuit Court of Appeals affirmed the convictions, holding that the district court did not abuse its discretion or violate Bradshaw's constitutional rights in refusing to delay the trial to accommodate a newly-hired defense attorney. The appellate court also held that the evidence presented to the jury amply supported the guilty verdicts.

United States v. Robertson

The defendant was convicted of assault with a dangerous weapon, assault resulting in serious bodily injury, and discharging a firearm during a crime of violence. He was sentenced to serve 197 months in federal prison. Robertson had been involved in a physical altercation with a group of men at a housing unit in Porcupine, South Dakota. The altercation ended, and Robertson drove away. But then he returned minutes later with a gun. He fired two shots in the

direction of two of the men with whom he had been fighting, hitting one of them in the stomach. On appeal, he argued that various admitted trial exhibits should have been excluded and that the district court erred in denying a jury instruction he had proposed. The Eighth Circuit Court of Appeals held that various 911 calls were properly admitted as excited utterances exceptions to the hearsay rule, that testimony about the reason for the underlying fight was not improperly prejudicial to Robertson, and that the jury instruction Robertson proposed was appropriately rejected because the other instructions the court gave properly explained the applicable law.

United States v. Stefanyuk

The defendant was convicted by a jury of receiving and distributing child pornography, and he was sentenced to 262 months in federal prison. On appeal, he challenged the district court's denial of a motion to suppress evidence obtained from a surveillance camera law enforcement used to monitor the exterior of his home. He also contested the district court's admission of evidence about his prior child pornography conviction. The Eighth Circuit Court of Appeals affirmed the conviction, holding that it need not decide broader issues about the constitutionality of the use of the surveillance camera because, here, the evidence obtained from it did not factor into the defendant's conviction. It also affirmed the district court's admission of Stefanyuk's prior child pornography conviction, reasoning that it was properly admitted under two separate federal rules of evidence.

United States v. Chachanko

A federal inmate challenged his convictions for carrying a firearm during a violent felony. His challenge was based on a Supreme Court decision, and the rules for seeking to vacate a conviction because of an intervening Supreme Court case require a prisoner to file such a motion within a year of the issuance of the relevant opinion. Chachanko's petition was filed over a year late, but he argued that the delay should be forgiven because he was housed in a unit that interfered with his ability to research and file the petition or to communicate with counsel. The Eighth Circuit Court of Appeals held that, under the circumstances here, Chachanko's lengthy delay was not entirely explained by his BOP placement, and his other reasons for the delay did not rise to the level of "extraordinary" such that equitable tolling was warranted. Thus, the appellate court denied his petition to pursue his claims.

United States v. Dones-Vargas

The defendant was convicted of two drug trafficking offenses, and he was sentenced to 235 months in federal prison. After trial, it came to light that local police had made payments to a cooperating witness. The government had not been made aware of the payments prior to trial, and so the payments had not been disclosed to the defendant. The government disclosed the information, and Dones-Vargas moved for a new trial, but the district court denied the motion. The Eighth Circuit Court of Appeals affirmed the convictions and the denial of the new-trial motion, holding that under the circumstances, including the overwhelming evidence of defendant's guilt, the undisclosed, relatively small payments were not material to the outcome.

United States v. Williams

The defendant pleaded guilty to two counts of attempted sexual exploitation of a minor, and he was sentenced to consecutive terms of imprisonment totaling 60 years. He appealed, arguing that the district court erred by making his sentences consecutive rather than concurrent, and also that his sentence creates an unwarranted disparity when compared to other similarly situated defendants. The Eighth Circuit Court of Appeals affirmed the sentence, holding that the district court correctly calculated the Guidelines range and imposed a "total punishment" within that range, which required running the imprisonment terms consecutively. The appellate court also held that the 60-year sentence was appropriate and not unreasonably harsh in light of the gravity of the crimes Williams committed against his child victims.

United States v. Felicianosoto

The defendant was convicted of two counts related to distributing methamphetamine. On appeal, he argued that his trial counsel's decision to concede guilt to possessing methamphetamine violated his autonomy to decide the objective of his offense. He also contested the district court's imposition of an obstruction-of-justice sentencing enhancement. The Eighth Circuit Court of Appeals affirmed the convictions and sentence, holding that Felicianosoto himself conceded guilt to possessing methamphetamine during his testimony at trial, and so the record did not support his claim that so doing was his counsel's sole decision. The appellate court also affirmed the sentencing enhancement, finding that the record supported the district court's determination that Felicianosoto gave false testimony at trial.

United States v. Berry

The defendant was convicted of conspiracy to distribute controlled substances, and he was sentenced to 300 months in federal prison. On appeal, he argued the district court made several mistakes at sentencing. He urged that prior drug dealing that the court found to be related to his charge was too remote in time and should not have been considered. He challenged a sentencing enhancement for being engaged in a criminal livelihood. He also challenged the reasonableness of his sentence. The Eighth Circuit Court of Appeals affirmed the sentence, holding the district court decided each challenged issue appropriately under the circumstances and that his below-Guidelines-range sentence was reasonable.

United States v. Flute

The defendant was charged with involuntary manslaughter in connection with the death of her newborn baby due to combined drug toxicity from a variety of drugs Flute ingested prior to giving birth. The child was born alive, but he died several hours later because of Flute's drug binge during the final stages of her pregnancy. The district court dismissed the indictment, and the government appealed, arguing that federal involuntary manslaughter is appropriately charged under these unique circumstances in which prenatal conduct causes the death of a born-alive child. The majority of the panel of the Eighth Circuit Court of Appeals agreed, holding that because the child was a "human being" when he was born alive, liability extended to his death even though the drugs that killed him were ingested while he was in utero.

United States v. Guzman

The two defendants were charged with a conspiracy to distribute methamphetamine, and one was charged for carrying a firearm in relation to drug trafficking. One defendant pleaded guilty and the other proceeded to a trial in which he was convicted. In the consolidated appeal, the defendants challenged the denial of suppression motions related to a traffic stop that led to their arrests and the discovery of contraband. The Eighth Circuit Court of Appeals affirmed the denial of the suppression motions, holding the officers had sufficient probable cause to stop the vehicle in which the defendants were traveling, and that they had sufficient information identifying the two men before the stop. The appellate court also affirmed the reasonableness of both defendants' sentences, including affirming various evidentiary decisions the district court made regarding sentencing enhancements due to drug quantities and their relative roles within the drug trafficking organization.

United States v. Quiver

The defendant pleaded guilty to being an accessory to second-degree murder, and he appealed the 180-month prison sentence he received. Quiver was present when another individual murdered her victim by strangling her and striking her in the head with a hammer. Quiver helped the assailant clean up after the murder, then he helped her move the victim's body multiple times over the course of three weeks. On appeal, he argued his counsel was ineffective and that his sentence was unreasonably high. The Eighth Circuit Court of Appeals rejected his arguments, holding the ineffectiveness claims are best resolved at a later proceeding. The appellate court also affirmed the sentence, finding that the circumstances here warranted a sentence higher than what was called for by the Sentencing Guidelines and that the ultimate sentence was substantively reasonable.

United States v. Waloke

A jury convicted the defendant of harboring or concealing a fugitive from arrest. On appeal, she urged that the trial evidence was insufficient because she merely lied to law enforcement but did not actively conceal the fugitive. The Eighth Circuit Court of Appeals disagreed and affirmed her conviction, noting that the evidence showed she did more than just lie to officers; she delayed their entry into her home so that the fugitive was able to hide in a back bedroom.

United States v. Conner

The defendant was convicted of Hobbs Act robbery, brandishing a firearm during a crime of violence, and unlawful possession of a firearm after he used a firearm to hold up a convenience store in Yankton, South Dakota. On appeal, he challenged the admission into evidence of a video and related photographs showing him wearing clothing similar to those worn by the perpetrator of the robbery as seen in surveillance video of the robbery. He also challenged whether Hobbs Act robbery qualifies as a "crime of violence" sufficient to support a conviction under 18 U.S.C. § 924 (c). The Eighth Circuit Court of Appeals affirmed the convictions, holding the admission of the video and photographs was sufficiently relevant and not unduly prejudicial. It also applied its own precedent in holding that Hobbs Act robbery qualifies as a valid "crime of violence" predicate.

ADMINISTRATIVE DIVISION

The Administrative Division of the United States Attorney's Office for the District of South Dakota is headed by Jeff Traill, Administrative Officer, who supervises a number of subject matter experts, including an Administrative Assistant, a Budget Officer, a Human Resources Specialist, a Contracting Specialist, and two Information Technology Specialists focusing on litigation support and computer network management.

The Administrative Division provides consistent and effective administrative services and support to the 62 employees and programs of the United States Attorney's Office.

The division provides guidance concerning Department of Justice policies and procedures as well as central services support in all areas of Administration, including: Human Resources, Budget and Finance, Information Technology, Facilities Management, Records Management, Purchasing, Property Management, and Security. The Division is responsible for planning and executing a comprehensive range of administrative services that support the mission of the United States Attorney's Office. The Division is managed by the Administrative Officer, who is the principal advisor to the United States Attorney and the District on administrative matters. The Administrative Officer provides guidance on the management and use of the District's financial, manpower, and physical resources, and on administrative policies, procedures, and practices.

In addition the Administrative Division follows internal control practices that ensure proper use and reporting of tax payer funded assets. At the direction of the United States Attorney, the Administrative Division manages an annual operating plan budget of approximately \$6.5 million dollars. The Division also manages equipment and facilities in three locations valued at approximately \$2 million.

The Administrative Division is also responsible for the coordination, development, and maintenance of office policies and procedures related to the mission of the U.S. Attorney's Office. In this regard, the Administrative Division works closely with the United States Attorney, Assistant United States Attorneys, and support staff to ensure compliance with a strong internal controls program.

VICTIM RIGHTS AND ADVOCACY

The U.S. Attorney's Office Victim/Witness Assistance Program, led by Victim-Witness Coordinator Marlys Big Eagle, assists federal victims of federal crime during the prosecution process, provides information and referrals, helps protect victims' rights, and notifies them of public court proceedings. The U.S. Attorney's Office is committed to ensuring that victims of crime remain an integral part of the criminal justice process. The Victim/Witness Assistance Program was developed to assure that victims of federal crimes are treated with fairness and respect as they journey through the federal criminal justice system. This program carries out the mandates of the *Federal Victim and Witness Protection Act of 1982*, the *Victims' Rights and Restitution Act of 1990*, the *Victims of Child Abuse Act of 1990*, the *Crime Victims' Rights Act of 2004*, and other victim-related legislation. These victim/witness assistance and protection laws apply to all victims and witnesses of federal crime who have suffered physical, financial, or emotional trauma.

A variety of notification and assistance services are provided to victims and witnesses of federal crime by our Victim/Witness Assistance Program staff, Assistant U.S. Attorneys (AUSAs) and other staff with the assistance of tribal and federal law enforcement. We work closely with South Dakota's FBI victim specialists and Bureau of Indian Affairs victim specialists who assist victims of federal crime in the period between the reporting of a crime and charges being filed by our office. Our shared goal is to provide a seamless path to assist victims of federal crime.

Many victims of federal crime reside on South Dakota's Indian reservations or in rural areas. U.S. Attorney's Office staff often travel to rural communities to meet with the victim in person. This provides an opportunity to assess their need for services, garner their input, and if necessary, prepare for trial. In-person contact has proven to be much more effective in building a trust relationship than communication by telephone or written notifications. Direct contact allows the victim to consult with the AUSA assigned to prosecute the case pursuant to the Crime Victims' Rights Act and provide the victim with a voice in the criminal process. The victim witness staff accompany and assist with these meetings.

When a federal criminal case reaches the prosecution stage, the victim is notified of the status of the case. Victims are notified of all case events through the Department of Justice Victim Notification System (VNS). They may be notified by letter and/or by calling the VNS automated call center. Notifications that may be made include the release or detention status of an

offender pending judicial proceedings; the filing of charges against a suspected offender; the scheduling of each court proceeding that the victim is either required or entitled to attend; the acceptance of a plea of guilty or the rendering of a verdict after trial; the opportunity to present to the court a victim impact statement containing information concerning any harm (financial, social, psychological or physical) done to or loss suffered by the victim of the crime; the date set for sentencing and the sentence imposed; and entry of the victim into the Bureau of Prisons' Victim and Witness Notification Program.

Each of our offices has a toll-free number to allow victims and witnesses to easily contact our victim/witness staff. When needed, referrals are provided to existing agencies for shelter, counseling, compensation, and other types of assistance services.

RECOGNITION OF HEROES

LAW ENFORCEMENT LINE OF DUTY DEATHS IN SOUTH DAKOTA

Since 1791, more than 22,000 law enforcement officers across the United States have made the ultimate sacrifice. On behalf of us all, the U.S. Attorney's Office of the District of South Dakota and the U.S. Department of Justice honor and mourn our fallen law enforcement heroes, and express our deepest thanks to all law enforcement officers for their bravery and dedication to the safety of our communities and the rule of law.

Bravery is not the *absence* of fear; it is *action* in the face of fear. At least 69 line of duty deaths have occurred in South Dakota since Territorial days. These fallen heroes are:

Aberdeen Police Department (1)

Joseph Daly (August 16, 1919)

Alcester Police Department (1)

Alf Amundsen (September 10, 1940)

Andover Police Department (1)

Daniel Passage (July 29, 1916)

Brown County Sheriff's Office (2)

Ike Fuller (July 1, 1923) Ole Solberg (February 25, 1939)

Brule County Sheriff's Office (2)

James Boney (September 6, 1926) Clarendon Miller (September 6, 1931)

Bureau of Indian Affairs (7)

Paul Afraid of Soldiers (December 15, 1890) John Armstrong (December 15, 1890)

Henry Bullhead (December 19, 1890) David Hawkman (December 15, 1890)

James Little Eagle (December 15, 1890) Charles Shavehead (December 16, 1890)

Frank Horn Cloud (March 10, 1910)

Butte County Sheriff's Office (1)

Dave Malcolm (January 24, 1946)

Campbell County Sheriff's Office (2)

Walter Salzsiedler (April 25, 1949) John Bechtold (August 4, 2004)

Cheyenne River Sioux Tribal Police (1)

Merrill Bruguier (October 9, 2010)

Custer Police Department (1)

James Sawyer (June 13, 1972)

Dallas Marshals Office (1)

Walter Wood (February 25, 1921)

DeSmet Police Department (1)

Arthur Back (September 13, 1932)

Emery Marshals Office (1)

George Shocker (September 24, 1935)

Grant County Sheriff's Office (1)

Melbourne Lewis (July 30, 1941)

Gregory Police Department (1)

William Bearshield (July 26, 1976)

Haakon County Sheriff's Office (1)

Matthew Schofield (March 21, 1985)

Huron Police Department (3)

Clifford Hawley (September 7, 1909) Virgil Deyo (November 29, 1966)

Thomas Callies (March 30, 1982)

Hyde County Sheriff's Office (1)

Hugh McNamara (April 30, 1926)

Lead Police Department (1)

Milan Miller (November 22, 1938)

Leola Police Department (1)

Clarence Berry (December 12, 1921)

Miller Police Department (1)

William Stender (May 15, 1963)

Mitchell Department of Public Safety (1)

John Pierce (April 9, 1884)

Moody County Sheriff's Office (1)

William Davis (November 3, 2003)

Oglala Sioux Tribal Police (3)

John Red Horse (November 16, 1894) Glenn Hollow Horn (April 5, 1980)

Kelmer One Feather (July 1, 2000)

Pierre Police Department (1)

Alva Burnett (June 12, 1944)

Rapid City Police Department (8)

Billy Wilson (November 6, 1885) James Hawkes (December 28, 1916)

Jack O'Leary (November 6, 1926) Elmer Simons (April 2, 1955)

Daniel Wickard (June 9, 1972) Leslie Hollers (September 16, 1985)

Ryan McCandless (August 2, 2011) Nick Armstrong (August 6, 2011)

Sioux Falls Police Department (2)

Edward Pike (September 23, 1922) George Saville (October 6, 1935)

South Dakota Department of Corrections (4)

Eugene Reily (March 6, 1936) Edward Jaworski (September 6, 1951)

Russell Anderson (March 3, 1998) Ronald Johnson (April 12, 2011)

South Dakota Department of Game, Fish and Parks (2)

George Driscoll (April 26, 1964) Ronald Brandt (December 20, 1979)

South Dakota Division of Criminal Investigation (1)

Thomas Matthews (January 24, 1946)

South Dakota Highway Patrol (5)

Bernard Benson (September 17, 1941) Henry Russell (November 19, 1958)

Verlyn Mettler (March 9, 1976) Steven Hoffman (March 12, 1980)

Oren Hindman (May 2, 1985)

South Dakota State Deputy Sheriff (1)

Charles Halpin (May 13, 1927)

Turner County Sheriff's Office (1)

Chad Mechels (March 15, 2009)

United States Department of Justice Alcohol, Tobacco, & Firearms (2)

Charles Bintliff (May 13, 1927) Oscar Hanson (March 28, 1928)

United States Federal Bureau of Investigation (2)

Jack Coler (June 26, 1975) Ronald Williams (June 26, 1975)

United States Marshals Service (1)

Edward Flanery (March 28, 1928)

Webster Police Department (1)

Albert Hubsch (December 5, 1954)

White Lake Police Department (1)

Clyde Rogers (February 3, 1948)

CONTACT INFORMATION

Sioux Falls Office
325 South First Avenue
Suite 300
Sioux Falls, SD 57104
605-330-4400
800-804-6790

Pierre Office
225 South Pierre
Street
Suite 337
Pierre, SD 57501
605-224-5402
800-603-8157

Rapid City Office
515 Ninth Street
Suite 201
Rapid City, SD 57701
605-342-7822
800-603-3750

