

WR

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF PENNINGTON)

STATE OF SOUTH DAKOTA,)
)
Plaintiff,)
)
vs.)
)
BRIAN J. CHADWELL)
)
Defendant.)
PENNINGTON COUNTY JAIL - RC SD

IN MAGISTRATE COURT

SEVENTH JUDICIAL CIRCUIT

C-4-FEL = 10/10

COMPLAINT

GRAND THEFT BY RECEIVING
STOLEN PROPERTY

PCN: N/A
CR#: 00-12424

The undersigned being duly sworn upon oath charges:

That between June 27, 2000, and September 3, 2000, inclusive, in the County of Pennington, State of South Dakota, BRIAN J. CHADWELL did commit the public offense of **GRAND THEFT BY RECEIVING STOLEN PROPERTY**, in that he did then and there receive, retain, or dispose of property of [REDACTED] in excess of the value of five hundred dollars (\$500.00), to-wit: **pistol, rifle, shotgun and guitar**, knowing that said property had been stolen or believing that said property had probably been stolen, without intent to restore said property to its rightful owner, in violation of **SDCL 22-30A-7 and SDCL 22-30A-17(4)**; and

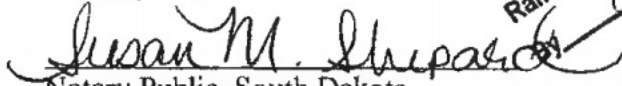
contrary to statute in such case made and provided against the peace and dignity of the State of South Dakota.

Probable cause for this Complaint is based on law enforcement reports attached hereto and incorporated herein.

Dated this 28 day of November, 2000, at Rapid City, Pennington County, South Dakota.


Deputy State's Attorney

Subscribed and sworn to before me this 28 day of November, 2000.

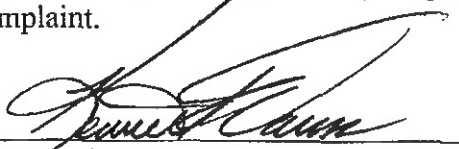

Notary Public, South Dakota

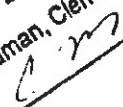
My Commission Expires: 9-10-2003

Pennington County, SD
FILED
IN CIRCUIT COURT
NOV 29 2000
Ranae Truman, Clerk of Courts
Deputy

REQUEST FOR ARREST WARRANT

Kenneth E. Varns, the undersigned prosecuting attorney, hereby requests an Arrest Warrant to be issued based upon the above Complaint.


Prosecuting Attorney

Pennington County, SD
FILED
IN CIRCUIT COURT
NOV 29 2000
Ranae Truman, Clerk of Courts
By  Deputy



Don Holloway
Sheriff

Pennington County Sheriff's Office

Investigations Division

300 Kansas City Street Rapid City, SD 57701-2889
Ph. 605-394-6115
Fax 605-394-4129

TO: Pennington County States Attorney Glenn Brenner
FROM: Inv. Dave Bramblee
DATE: November 10, 2000
RE: WARRANT REQUEST (00-16409) -- PCSO

PERSON TO BE CHARGED: CHADWELL, Brian James. DOB/03-13-79.
ADDRS: Penn. Co. Jail, 603 2nd St., RCSD, 57701.
W/M/5'6"/150 lbs./Brn/Brn.
[REDACTED]

CODE UNDER WHICH CHARGE IS MADE: SDCL 22-30A-7. Receiving Stolen
Property (Felony).

ESSENTIAL ELEMENTS OF THE OFFENSE:

1. That the defendant received or retained a 357 magnum Colt King Cobra, serial number KC3086.
2. That the property was stolen.
3. That when the defendant received or retained such property, the defendant knew that it was stolen or believed that it had probably been stolen.
4. That the property had a value exceeding \$500.00, to wit \$700.00.
5. That the defendant, in receiving or retaining the property did not intend to restore it to the owner.

FACTS OF THE OFFENSE:

That on 08-24-00 a burglary was reported to the Austin residence located at 5549 Doubletree Road, Rapid City, Pennington County, South Dakota. That during that burglary a Colt King Cobra firearm bearing serial number KC3086 was stolen from the residence along with a holster and box of ammunition. Also taken during that burglary was a 9 millimeter Highpoint firearm bearing serial number P051231. That on 09-03-00 the defendant, Brian James Chadwell, was arrested by the Rapid City Police Department for Aggravated Assault, Intentional Damage to Private Property and Possession of a Weapon During the Commission of a Felony. That the defendant had with him the stolen 357 magnum. That the defendant was later interviewed and confessed to purchasing the stolen firearm and admitted that he knew the firearm was stolen. That all of the above events took place in Pennington County.

Pennington County SD
INVESTIGATIONS DIVISION
NOV 23 2000
Ranae Truman, Clerk of Courts
By am Deputy

THE FOLLOWING INFORMATION WILL BE PRESENTED TO SATISFY THE ESSENTIAL ELEMENTS OF THE OFFENSE:**Doug Austin will testify:**

That he resides at 5549 Doubletree Road, Rapid City, South Dakota. That on 08-24-00 he filed a burglary report with the Pennington County Sheriff's Office. That two handguns were taken during the commission of this burglary along with miscellaneous jewelry and approximately \$300.00 in coins. That he had hired a house painter, Michael Kjerstad, the owner of *Kirk's Painting* to paint his residence. That the defendant, Brian James Chadwell, was employed by *Kirk's Painting* and was present at 5549 Doubletree Road painting the residence. That he did not give permission to the defendants or to another possible suspect, Michael Inman, to enter his residence or remove any property therein. That he did give the painters permission to enter his residence to use the restroom.

Inv. Dave Bramblee will testify:

That he is an Investigator with the Pennington County Sheriff's Office. That on 08-25-00 he was assigned this case. That on 10-06-00, he took a taped statement from Brian James Chadwell at the Pennington County Jail at which time the defendant admitted he had purchased the stolen firearm in question from Michael Inman. That the defendant stated Mr. Inman was an acquaintance of his who had previously told him that he makes his living by breaking into residences, and taking and selling stolen items. That the defendant, Brian James Chadwell, told Michael Inman about the house they were painting in Countryside South and of the items inside the residence. That during the interview the defendant advised that on an unknown date in September of 2000 he purchased the firearm, a holster and a box of ammunition from Michael Inman for \$200.00. That the defendant advised him he was subsequently arrested with the firearm by the Rapid City Police Department on 09-03-00. That the firearm was placed into Evidence. That Det. Chris DeGroote was also present during this interview.

Inv. Bramblee can further testify that he did a Hot Sheet item for possible suspect Michael Inman. That no information on Michael Inman was available on the local computer system, nor was he able to locate Michael Inman in our area at that time. That he interviewed the defendant, Brian James Chadwell, a second time on 10-17-00 at the Pennington County Jail. That the defendant continued to deny committing the burglary but admitted to possession of the firearm and that he purchased it from Michael Inman. That the defendant advised he was not sure where Michael Inman could be located.

EVIDENCE HELD:

1. Case Report #00-16409.
2. Statements taken from Brian James Chadwell.
3. Colt King Cobra 357 magnum, SN/KC3086, holster and ammunition for a 357 magnum.

PERSONS TO BE SUBPOENAED:

1. Doug Austin, 5549 Doubletree Rd., RCSD, 57702.
EMP: City/County Alcohol & Referral, 725 LaCrosse St., RCSD. PH: 394-6128
2. Inv. Dave Bramblee, c/o PCSO, 300 Kansas City St., RCSD. PH: 394-6115
DB/be

STATE OF SOUTH DAKOTA	)	IN MAGISTRATE COURT
	) SS.	
COUNTY OF PENNINGTON	)	SEVENTH JUDICIAL CIRCUIT
STATE OF SOUTH DAKOTA.	)	COUNT I: C-3-FEL = 15/15
	)	COUNT II: C-4-FEL = 10/10
Plaintiff,	)	COUNT II: C-1-MISD
)	
vs.	)	COMPLAINT
)	
JAMES CHADWELL,	)	COUNT I: AGGRAVATED ASSAULT
UNKNOWN ADDRESS	)	COUNT II: INTENTIONAL DAMAGE
[REDACTED]	)	TO PRIVATE PROPERTY
	)	COUNT III: RESISTING ARREST
and)	
JOSEPH HOOPER)	
[REDACTED] E. 27 TH STREET, RCSD)	
DOB: 12/24/80)	
[REDACTED])	
)	
Co-Defendants.)	

The undersigned being duly sworn upon oath charges:

COUNT I: That on or about the 3rd day of September, 2000, in the County of Pennington, State of South Dakota, JAMES CHADWELL did commit the public offense of **AGGRAVATED ASSAULT**, in that he did, then and there, attempt to cause serious bodily injury to [REDACTED] or caused such injury, under circumstances manifesting extreme indifference to the value of human life, in violation of SDCL 22-18-1.1(1); and

COUNT II: That on or about the 3rd day of September, 2000, in the County of Pennington, State of South Dakota, JAMES CHADWELL and JOSEPH HOOPER did commit the public offense of **INTENTIONAL DAMAGE TO PRIVATE PROPERTY IN THE FIRST DEGREE**, in that they did then and there, either individually or by aiding, abetting or advising, intentionally injure, damage or destroy property, in which Police Chief Wilmer Youngman had an interest, to-wit: vehicle windows; said damage or destruction being more than five hundred dollars (\$500.00) and being without the consent of Police Chief Wilmer Youngman in violation of SDCL 22-34-1 and SDCL 22-3-3, and

COUNT III: That on or about the 3rd day of September, 2000, in the County of Pennington, State of South Dakota, JAMES CHADWELL did commit the public offense of **RESISTING ARREST** in that (s)he did then and there intentionally prevent or attempt to prevent a law enforcement officer, to-wit: Officer Cassen acting under the color of his authority, from effecting an arrest of the actor by threatening to use physical force or violence against a law enforcement officer, to-wit: Officer Cassen. in violation of SDCL 22-11-4(1), and

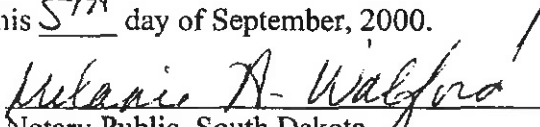
contrary to statute in such case made and provided against the peace and dignity of the State of South Dakota.

Probable cause for this Complaint is based on law enforcement reports attached hereto and incorporated herein.


Dated this 5TH day of September, 2000, at Rapid City, Pennington County, South Dakota.


Deputy State's Attorney

Subscribed and sworn to before me this 5TH day of September, 2000.


Notary Public, South Dakota

My Commission Expires: 1-11-04

Pennington County, SD
FILED
IN CIRCUIT COURT
SEP 05 2000
Ranae Truman, Clerk of Courts
By  Deputy

STATE OF SOUTH DAKOTA)
) SS.
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT

CRIM. NO. 022825

STATE OF SOUTH DAKOTA,

Plaintiff,

v.

JAMES BRIAN CHADWELL, II

SD State Penitentiary
Sioux Falls, SD 57117

Defendant.

~~WARRANT ISSUED~~

INDICTMENT FOR

COUNT 1 - AGGRAVATED ASSAULT
SDCL 22-18-1.1(6)
Class 3 Felony

THE MINNEHAHA COUNTY GRAND JURY CHARGES:

COUNT 1

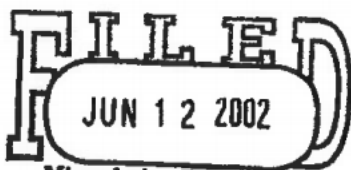
That on or about the 25th day of March, 2002, in the County of Minnehaha, State of South Dakota, James Brian Chadwell, II, did commit the public offense of AGGRAVATED ASSAULT, (SDCL 22-18-1.1(6)), in that he, being a convicted person under the jurisdiction of the Department of Corrections, did attempt to cause, or knowingly caused bodily injury to a Department of Corrections employee, to-wit: [REDACTED] contrary to statute in such case made and provided against the peace and dignity of the State of South Dakota.

Dated this 12 day of June, 2002, at Sioux Falls, South Dakota.

A True Bill

"A TRUE BILL"

THIS INDICTMENT IS MADE WITH THE CONCURRENCE OF AT LEAST SIX GRAND JURORS.



Clerk Circuit Court

Scott A. Berg
Grand Jury Foreman

WITNESSES WHO TESTIFIED BEFORE THE GRAND JURY IN REGARD TO THIS
INDICTMENT:

STATE OF SOUTH DAKOTA)
COUNTY OF MINNEHAHA) SS.

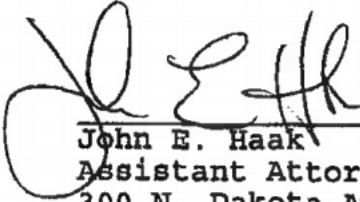
REQUEST FOR
ARREST WARRANT

I, John E. Haak, Assistant Attorney General, and prosecuting attorney in the above matter, do hereby request an arrest warrant to be issued against the above Defendant.

Dated this 12th day of June, 2002.

FILED
JUN 12 2002

Minnehaha County, S.D.
Clerk Circuit Court Magistrate Division


John E. Haak
Assistant Attorney General
300 N. Dakota Avenue, #403
Sioux Falls, SD 57104
Telephone: (605) 367-5880

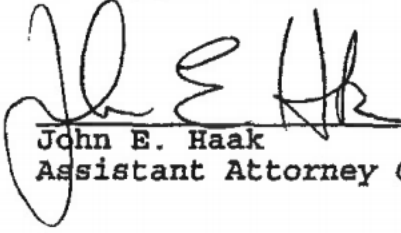
STATE OF SOUTH DAKOTA)
COUNTY OF MINNEHAHA) SS.

NOTICE OF DEMAND FOR
ALIBI DEFENSE

I, John E. Haak, prosecuting attorney in the above matter, hereby state that Count 1 was committed on or about the 25th day of March, 2002, in Minnehaha County, South Dakota. I hereby request that the Defendant or his attorney serve upon me a written notice of his intention to offer a defense of alibi within ten (10) days as provided by SDCL 23A-9-1. Failure to provide such notice of an alibi defense may result in exclusion of any testimony pertaining to an alibi defense.

FILED
JUN 12 2002

Minnehaha County, S.D.
Clerk Circuit Court Magistrate Division


John E. Haak
Assistant Attorney General

STATE OF SOUTH DAKOTA)
 :SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA,)

Crim. No. 022825

Plaintiff,)

v.)

JUDGMENT OF CONVICTION

JAMES BRIAN CHADWELL, II)

DOB: 03/10/80)

South Dakota State Penitentiary)

Sioux Falls, SD 57117)

Defendant.)

An Indictment was filed in this Court on the 12th day of June, 2002, charging Defendant with the crime of Aggravated Assault (SDCL 22-18-1.1(6)). Defendant was arraigned on said Indictment on the 24th day of June, 2002. Defendant, Defendant's attorney, and prosecuting attorney John H. Haak, appeared at Defendant's arraignment. The court advised Defendant of all constitutional and statutory rights pertaining to the charge against Defendant. Defendant pled not guilty to the charge in the Indictment. Defendant requested a court trial on the charge contained in the Indictment.

At trial a change of counsel occurred in which Tara Glasford became counsel for Defendant, and John M. Strohman, Assistant Attorney General, served as the prosecuting attorney. A trial commenced on the 11th day of October, 2002, in Sioux Falls, South Dakota on the charge. The trial was completed that day and the trial court returned a verdict of guilty as to the charge of aggravated assault.

It is therefore

ORDERED that a judgment of guilty is entered as to the crime of aggravated assault.

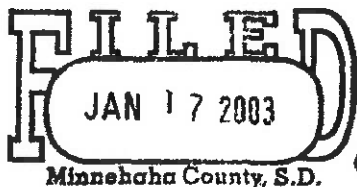
SENTENCE

On the 14th day of January, 2002, the court asked Defendant whether any legal cause existed to show why judgment should not be pronounced. There being no cause offered, the Court thereupon pronounced the following sentence.

ORDERED that Defendant be sentenced to the South Dakota State Penitentiary for ten years with five years suspended on the condition that Defendant maintain good behavior. It is further

ORDERED that Defendant's sentence run consecutive to any other time being served.

Dated this 17 day of January, 2003, at Sioux Falls, South Dakota.



BY THE COURT:

A large, stylized handwritten signature in black ink, likely belonging to William J. Srstka, Jr.

The Honorable William J. Srstka, Jr.
Circuit Court Judge

ATTEST: Clerk Circuit Court

CHARLES M. FECHNER

Clerk of Courts

By: A handwritten signature in black ink, likely belonging to Charles M. Fechner.

j-pld.jms State v James Brian Chadwell

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT
MAGISTRATE DIVISION

* SHR 201208752

* COMPLAINT

*
* **125482**

* * * * *

That the Defendant, JAMES BRIAN CHADWELL
in Minnehaha County, State of South Dakota, on or about the 25th
day of August, 2012, did abuse, expose, torture, torment
or cruelly punish a minor, [REDACTED]

contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota, and prays that the said Defendant may be arrested and dealt with according to law.

That the Defendant, JAMES BRIAN CHADWELL
in Minnehaha County, State of South Dakota, on or about the 25th
day of August, 2012, did abuse, expose, torture, torment
or cruelly punish a minor, [REDACTED]

contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota, and prays that the said Defendant may be arrested and dealt with according to law.

That the Defendant , JAMES BRIAN CHADWELL

Minnehaha County, State of South Dakota, on or about the 25th day of August , 2012 , drove or was in actual physical control of any vehicle while:

- () having 0.08 percent or more by weight of alcohol in the blood
- (xx) under the influence of an alcoholic beverage, marijuana, or any controlled drug or substance not obtained pursuant to a valid prescription, or any combination of an alcoholic beverage, marijuana, or such controlled drug or substance; or
- () under the influence of any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the combined influence of an alcoholic beverage and/or any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by SDCL 22-42-15 in violation of SDCL 32-23-1,

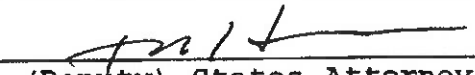
contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota, and prays that the said Defendant may be arrested and dealt with according to law.

COUNT IV

That the Defendant , JAMES BRIAN CHADWELL
Minnehaha County, State of South Dakota, on or about the 25th day of August , 2012 , drove or was in actual physical control of any vehicle while:

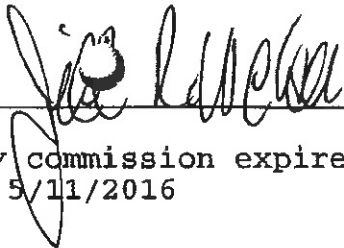
- (xx) having 0.08 percent or more by weight of alcohol in the blood
- () under the influence of an alcoholic beverage, marijuana, or any controlled drug or substance not obtained pursuant to a valid prescription, or any combination of an alcoholic beverage, marijuana, or such controlled drug or substance; or
- () under the influence of any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the combined influence of an alcoholic beverage and/or any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by SDCL 22-42-15 in violation of SDCL 32-23-1,

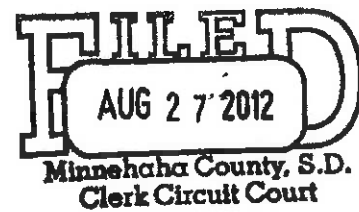
contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota, and prays that the said Defendant may be arrested and dealt with according to law.


(Deputy) States Attorney
Minnehaha County, South Dakota

Subscribed and sworn to before me this 27th day of August , 2012

Date of Arr: 8/27/2012
Schedule Code: ()
DOB: 3/13/1979
Address: 1503 CEDAR CIRCLE
BRANDON, SD


My commission expires:
5/11/2016



MINNEHAHA COUNTY SHERIFF'S DEPT. UNIFORM TRAFFIC TICKET

STATE OF S. DAK.

COUNTY OF MINNEHAHA

SS 12-8752

CITY OF GARRETTSON

D 074150

IN THE MAGISTRATE COURT OF SIOUX FALLS

THE UNDERSIGNED PEACE OFFICER COMPLAINS AND STATES THAT

ON OR ABOUT	AT OR NEAR (LOCATION)	AT TIME
8-25-12	5th & Main	2:32 P.M.

WITHIN THE COUNTY AND STATE AFORESAID

NAME	HEIGHT	SEX
Chadwell, James Brian II	5'8"	M
ADDRESS	WEIGHT	RACE
[REDACTED] Cedar Cir	165	W
CITY	STATE	BIRTHDATE
Brandon	SD	3-13-79
DRIVERS LICENSE NO.	STATE	
00950346	SD	
DID UNLAWFULLY	OPERATE	PARK
	X	
VEHICLE MAKE	BODY STYLE	
Chev	Reg	
STATE LICENSE NO.	YEAR	STATE
1A J 92	11	SD

AND THEN AND THERE COMMIT FOLLOWING OFFENSE: TO WIT: PETTY OFF. ☐ MIS. ☒

DESCRIBE VIOLATION:

DUI 2nd

CDL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
C. VEH.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HAZ. MATERIALS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

IN VIOLATION OF:

CITY ORD: 32-23-2

SPEEDING	MUNICIPAL	M.P.H. IN	M.P.H. ZONE
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
	INTERSTATE		
	OTHER		

OFFICER ISSUING SUMMONS	NO.	CITY	COUNTY	STATE
Leidholt	477		SD	

ABOVE COMPLAINT IS TRUE AS I VERIFY BELIEVE.
OFFICER SIGN IN PRESENCE OF COURT OR NOTARY.

DATE

SUBSCRIBED AND SWORN TO ME THIS DATE

DATE

NAME AND TITLE

I PROMISE TO APPEAR

DEFENDANT'S SIGNATURE

X Lodged

COURT APPEARANCE REQUIRED

YES ☒ NO ☐

AMOUNT OF DEPOSIT

POWER OF ATTORNEY

YES ☐ NO ☒

S

AT (TIME)

A.M.
P.M.

COURT DATE

TBO

COURT ADDRESS

425 N. Dakota
Sioux Falls, SD

UNIFORM COMPLAINT - SUMMONS

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA,
Plaintiff,

* SHR201208752

* INDICTMENT

vs.

*

*

12-5482

JAMES BRIAN CHADWELL
Defendant.

*

COUNT 1: ABUSE OR CRUELTY TO A MINOR – CLASS 4 FELONY

COUNT 2: ABUSE OR CRUELTY TO A MINOR – CLASS 4 FELONY

COUNT 3: DWI – UNDER THE INFLUENCE – CLASS 1 MISD.

COUNT 4: DRIVING WHILE OVER .08 - CLASS 1 MISD.

THE MINNEHAHA COUNTY GRAND JURY CHARGES:

That the Defendant, JAMES BRIAN CHADWELL, in Minnehaha County, State of South Dakota, on or about the 25th day of August, 2012, did abuse, expose, torture, torment or cruelly punish a minor, [REDACTED], in a manner which does not constitute aggravated assault, which action on the part of the Defendant is in violation of SDCL 26-10-1, contrary to the form of statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 2

That the Defendant, JAMES BRIAN CHADWELL, in Minnehaha County, State of South Dakota, on or about the 25th day of August, 2012, did abuse, expose, torture, torment or cruelly punish a minor, [REDACTED], in a manner which does not constitute aggravated assault, which action on the part of the Defendant is in violation of SDCL 26-10-1, contrary to the form of statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 3

That the Defendant, JAMES BRIAN CHADWELL, in Minnehaha County, State of South Dakota, on or about the 25th day of August, 2012, drove or was in actual physical control of any vehicle while:

- () having 0.08 percent or more by weight of alcohol in the blood; or
- (X) under the influence of any alcoholic beverage, marijuana, or any controlled drug or substance not obtained pursuant to a valid prescription, or any combination of an alcoholic beverage, marijuana, or such controlled drug or substance; or
- () under the influence of any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or

- () under the combined influence of an alcoholic beverage and/or any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by SDCL 22-42-15,

in violation of SDCL 32-23-1, contrary to the form of statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 4

That the Defendant, JAMES BRIAN CHADWELL, in Minnehaha County, State of South Dakota, on or about the 25th day of August, 2012, drove or was in actual physical control of any vehicle while:

- (X) having 0.08 percent or more by weight of alcohol in the blood; or
- () under the influence of any alcoholic beverage, marijuana, or any controlled drug or substance not obtained pursuant to a valid prescription, or any combination of an alcoholic beverage, marijuana, or such controlled drug or substance; or
- () under the influence of any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the combined influence of an alcoholic beverage and/or any controlled drug or substance obtained pursuant to a valid prescription, or any other substance, to a degree which renders the person incapable of safely driving; or
- () under the influence of any substance ingested, inhaled, or otherwise taken into the body as prohibited by SDCL 22-42-15,

in violation of SDCL 32-23-1, contrary to the form of statute in such case made and provided and against the peace and dignity of the State of South Dakota.

Dated this 6th day of September, 2012.

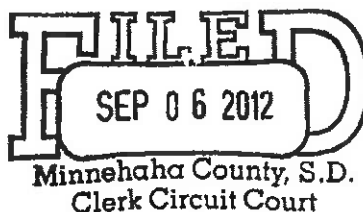
"A True Bill"
"A True Bill"

This Indictment has the concurrence of 6 members of the Minnehaha County Grand Jury.

[Signature]
Foreman
Minnehaha County Grand Jury

WITNESSES WHO TESTIFIED FOR THE GRAND JURY IN THIS MATTER:
DEP. LEIDHOLT

JAMES BRIAN CHADWELL, 3-13-1979, 1503 CEDAR CIRCLE, BRANDON, SD



STATE OF SOUTH DAKOTA)
:SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT

SECOND JUDICIAL CIRCUIT
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA
Plaintiff

*

CR#12-5482

vs.

*

COMPLAINT

JAMES BRIAN CHADWELL,
Defendant

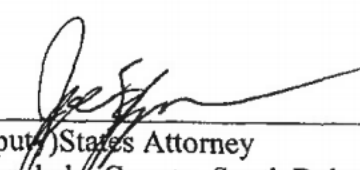
*

COUNT 1 CONTRIBUTE-DEP/DEL. OR CHILD NEED SUPERVISION – CLASS 1 MISD.

The undersigned being first duly sworn on oath complains and charges:

COUNT 1

That the Defendant, JAMES BRIAN CHADWELL, in Minnehaha County, State of South Dakota, on or about the 25th day of August, 2012, did commit any act, or was in any manner responsible therefore, which conduct caused, encouraged, or contributed to the abuse, the neglect, or the delinquency of a child as such phrases are defined in SDCL Title 26, which child is identified as [REDACTED], whose birth date is [REDACTED] and thereby committed the offense of contributing to the abuse, neglect, or delinquency of a child in violation of SDCL 26-9-1, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota, and prays that the said Defendant may be arrested and dealt with according to the law.


(Deputy) States Attorney
Minnehaha County, South Dakota

Subscribed and sworn to before me this 28 day of January, 2013.


My commission expires:

FILED
JAN 28 2013
Minnehaha County, S.D.
Clerk Circuit Court Magistrate Division

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT

13-4080

1. On May 28th, 2013, Sioux Falls Police took a burglary report from Elliot, Keith who is the owner of Tamarack Materials located at 5001 E. Rice Street, SFSD. Officer Fiegen, Badge #614 was advised by Elliot that in the evening of May 27th 2013, someone had made entry into the business and taken over three hundred dollars in cash. Officer Fiegen and Elliot then reviewed the store security camera and observed the suspect come into the business at 2007hrs and exit the business at 2022hrs. The suspect made entry into one of the offices and removed a blue bank bag with over three hundred dollars of petty cash. The suspect was observed to be wearing an unknown type ski mask, a long sleeve shirt with designs on front and back.
2. Your affiant was assigned this case on May 29th, 2013 and was able to obtain a series of still photos of the security video. I was then advised by SGT Hoekstra that he had been contacted by Ripperda, Travis, who is a parole officer for the State of SD. Travis told SGT Hoekstra that he was contacted

by [REDACTED] advised Travis that her husband, the defendant was responsible for the burglary at the Tamarack business. On June 4th, 2013 your affiant called [REDACTED] and she advised that she was moving out of Sioux Falls and she did not want to get into trouble for what her husband did.

3. [REDACTED] advised your affiant that on the evening of May 27th, 2013 the defendant had her drive him to the entry way of the Great Bear Ski Lodge on E. Rice St. The defendant got out of the vehicle and told [REDACTED] to drive around until he calls her. [REDACTED] advised after twenty or so minutes the defendant texted her to come back and pick him up. [REDACTED] picked him up by a building next to the Tamarack business. The defendant had a blue bag in his possession and inside the bag [REDACTED] estimated to be over three hundred dollars. [REDACTED] then advised that the defendant had her stop by some apartments west of Kiwanis Ave by 9th street SFSD and he threw the blue bag into a dumpster. They then drove home. [REDACTED] advised that the defendant was carrying a long screwdriver and had a dark ski mask in his possession. [REDACTED] advised again that she did not want to get into trouble and that is why she called the defendant's parole officer.
4. Your affiant got ahold of the defendant's parole officer; Travis Ripperda. Travis advised that your affiant could accompany him to the defendant's residence to conduct a search. On June 6th, 2013 your affiant and Detective Schmitz went to the defendant's residence at 1017 W. 9th St SFSD and assisted in the parole search. Detective Schmitz found a shirt which was similar to the suspect's shirt on the business security video.
5. Your affiant and Detective Schmitz went with Parole Officer Ripperda to Gage Bro's where the defendant was working. Your affiant interviewed the defendant but he denied any involvement in the Tamarack burglary. The defendant also advised your affiant that he was willing to take a polygraph to prove his innocence. Parole Officers and Detective Schmitz conducted a search on the defendant's truck and Detective Schmitz found a large screwdriver in the defendant's truck which matched the screwdriver described by [REDACTED]. Officer Ripperda did violate the defendant's parole and placed him into custody.

6. On June 11th, 2012 your affiant and Detective Schmit transported the defendant from the South Dakota State Penitentiary to the SFPD Detective Bureau. While Detective Webb was conducting a pre-interview for the polygraph the defendant admitted to the burglary. The defendant described his actions in detail to Detective Webb and your affiant. Your affiant and Detective Schmitz then transported the defendant back to the South Dakota State Penitentiary.
7. Based on the above facts your affiant believes probable cause exists to show the defendant; Chadwell, James Brian II, did commit the offense of Burglary 3rd on May 27th, 2013.
8. This incident occurred in the City of Sioux Falls, Minnehaha County, State of South Dakota.

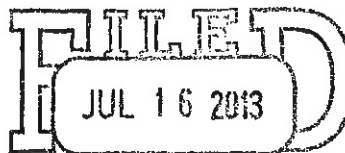


Subscribed and sworn before me
this 12th day of June 2013.



Notary Public

MY COMMISSION EXPIRES
July 9, 2013



Minnehaha County, S.D.
Clerk Circuit Court

COURT

:SS

COUNTY OF MINNEHAHA)

SECOND JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA,

*

SFPD201334632

Plaintiff,

*

INDICTMENT

vs.

*

*

13-4080

JAMES BRIAN CHADWELL, II

Defendant.

*

COUNT 1: BURGLARY IN 3RD-ENTER OR REMAIN IN UNOCCUPIED BLDG - CLASS 4
FELONY

COUNT 2: POSSESSION OF BURGLARY TOOLS - CLASS 5 FELONY

COUNT 3: PETTY THEFT - 2ND DEGREE - \$400.00 OR LESS - CLASS 2 MISD.

THE MINNEHAHA COUNTY GRAND JURY CHARGES:

That the Defendant, JAMES BRIAN CHADWELL, II, within Minnehaha County, State of South Dakota, on or about the 27th day of May, 2013, then and there did enter or remain in an unoccupied structure, other than a motor vehicle, namely TAMARACK MATERIALS, 5001 E. RICE ST., SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, with the intent to commit any crime, THEFT. That additionally, the premises above described were not, at the time, open to the public, or, the Defendant was not licensed or privileged to enter or remain therein. That the Defendant thereby committed the offense of Burglary in the 3rd Degree in violation of SDLC 22-32-8, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 2

That the Defendant, JAMES BRIAN CHADWELL, II, within Minnehaha County, State of South Dakota, on or about the 27th day of May, 2013, then and there did, with intent to commit a burglary, have in his possession any weapon or instrument specifically designed or adapted for the commission of a burglary, to wit: A SCREWDRIVER, useful for the commission of a burglary, which conduct constituted Possession of Burglary Tools, in violation of SDLC 22-32-17, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

COUNT 3

That the Defendant, JAMES BRIAN CHADWELL, II in Minnehaha County, State of South Dakota, on or about the 27th day of May, 2013, did take or exercise control over the property of another, TAMARACK MATERIALS, which property was described as MONEY, with intent to deprive said owner of this property and which property had a value of less than four hundred dollars, in violation of SDCL 22-30A-1 and 22-30A-17.3, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State of South Dakota.