

STATE OF SOUTH DAKOTA
: SS
COUNTY OF MINNEHAHA

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,
Plaintiff
vs.

PD23-002987

DAVID RAY ROCKYMOUNTAIN,
Defendant.

COMPLAINT

CR123-945

- COUNT 1: AGG ELUDING-INHERENT RISK OF DEATH OR INJURY - CLASS 6 FEL as to DRR
- COUNT 2: DWI - 2ND OFFENSE (OVER 0.08%) - CLASS 1 MISD as to DRR
- COUNT 3: DWI - 2ND OFFENSE - CLASS 1 MISD as to DRR
- COUNT 4: HIT AND RUN (PROPERTY DAMAGE) - CLASS 1 MISD as to DRR
- COUNT 5: UNSAFE LANE CHANGE - CLASS 2 MISD as to DRR
- COUNT 6: UNSAFE LANE CHANGE - CLASS 2 MISD as to DRR
- COUNT 7: UNSAFE LANE CHANGE - CLASS 2 MISD as to DRR
- COUNT 8: FOLLOWING TOO CLOSE - CLASS 2 MISD as to DRR
- COUNT 9: OPEN CONTAINER/BROKEN SEAL IN MOTOR VEHICLE - CLASS 2 MISD as to DRR
- COUNT 10: DRIVING WITHOUT VALID LICENSE OR PERMIT - CLASS 2 MISD as to DRR

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

COUNT 1

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense Aggravated Eluding Law Enforcement Officer (SDCL 32-33-18.2) in that the Defendant did flee from a law enforcement officer or attempt to elude the pursuit of a law enforcement officer and at any time during the flight or pursuit, the driver operated the vehicle in a manner that constituted an inherent risk of death or serious bodily injury to any third person, 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, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Driving Under the Influence (SDCL 32-23-1(1)) in that the Defendant did drive or was in actual physical control of any vehicle while having 0.08 percent or more by weight of alcohol in the blood, 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, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Driving Under the Influence (SDCL 32-23-1(2)) in that the Defendant did drive or was in actual physical control of any vehicle while 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, 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 4

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Hit and Run - Property Damage (SDCL 32-34-6) in that the Defendant did drive a motor vehicle involved in an accident resulting in damage to property and failed to give his or her name and address, as well as the name and address of the owner of the vehicle driven, and that such information was not provided to either the driver of the other vehicle, that such information was not left on the other motor vehicle if the vehicle was unattended, or that the information was not given to the property owner nor to law enforcement as soon as possible for damage involving other property if the property owner was not at the scene, 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 5

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Unsafe Lane Change (SDCL 32-26-6) in that the Defendant did move a motor vehicle from one lane into the adjacent lane before ascertaining that such movement could be made with safety, 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 6

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Unsafe Lane Change (SDCL 32-26-6) in that the Defendant did move a motor vehicle from one lane into the adjacent lane before ascertaining that such movement could be made with safety, 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 7

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Unsafe Lane Change (SDCL 32-26-6) in that the Defendant did move a motor vehicle from one lane into the adjacent lane before ascertaining that such movement could be made with safety, 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 8

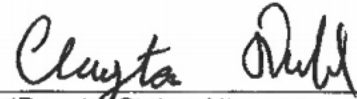
That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, then and there did drive and operate upon the public highways of Minnehaha County, South Dakota, a motor vehicle and did follow another motor vehicle more closely than is reasonable and prudent, without having due regard for the speed of such vehicles and the traffic upon and the conditions of the highway, which conduct was in violation of SDCL 32-26-40, 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 9

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Open Container, Broken Seal in Motor Vehicle (SDCL 35-1-9.1) in that the Defendant did, while occupying a motor vehicle located upon a public highway or the right-of-way of a public highway, consume any alcoholic beverage, or have a package or any receptacle containing an alcoholic beverage in their possession with the seal of the original package broken, 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.

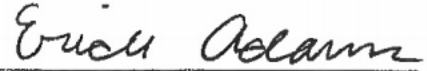
COUNT 10

That the Defendant, DAVID RAY ROCKYMOUNTAIN, in Minnehaha County, State of South Dakota, on or about the 13th day of February, 2023, did commit the public offense of Driving Without a License (SDCL 32-12-22) in that the Defendant did drive any motor vehicle upon a highway in this state without a valid driver license or permit issued to them under the provisions SDCL Chapter 32-12, 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.



(Deputy) States Attorney
Minnehaha County, South Dakota

Subscribed and sworn to before me this 14th day of February, 2023.



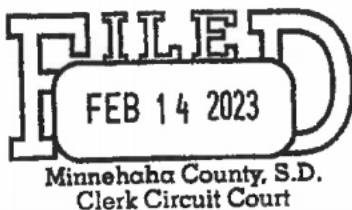
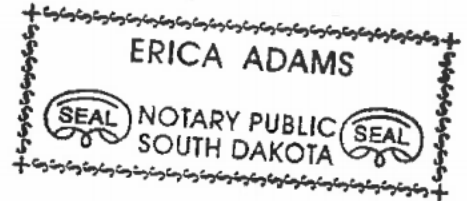
My commission expires:
06/20/2023

Initial Appearance Date: 2/14/2023

DOB: [REDACTED] (DRR)

Address: [REDACTED] N. SHERMAN AVE., SIOUX FALLS, SD 57103 (DRR)

Arresting Officer: HALTER



STATE OF SOUTH DAKOTA : SS
COUNTY OF MINNEHAHA

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA,
Plaintiff
vs.
DAVID RAY ROCKYMOUNTAIN
Defendant.

<no docket number>
CR123-945
Information Part II
SECOND OFFENSE DRIVING WHILE UNDER
THE INFLUENCE

THE UNDERSIGNED, as prosecuting attorney in the name of, and by the authority of the State of South Dakota upon his/her oath, informs this Court that the Defendant, DAVID RAY ROCKYMOUNTAIN, has been convicted of one or more violations of SDCL 32-23-1, 32-23-4.5, 22-18-36, and/or 22-16-41 as follows:

- ON OR ABOUT 12/28/21 IN MINNEHAHA COUNTY, SOUTH DAKOTA

which convictions were within a period of ten years, and in violation of 32-23-3 contrary to the statute in such case made and provided and against the peace and dignity of the State of South Dakota.

Clayton Dahl

Prosecuting Attorney

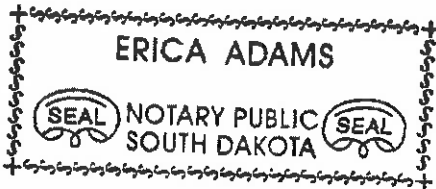
STATE OF SOUTH DAKOTA : SS
COUNTY OF MINNEHAHA

THE UNDERSIGNED, prosecuting attorney in the above case, being duly sworn upon oath deposes and states that I have read the forgoing Information (Part II) and the same is true to the best of my knowledge, information and belief.

Clayton Dahl

Prosecuting Attorney

Subscribed and sworn to before me this Dated this 14th day of February, 2023

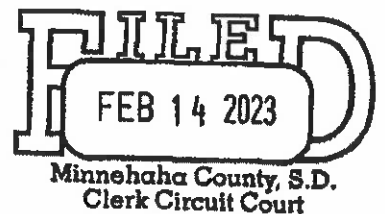


Erica Adams

Notary Public - South Dakota
My commission expires: 06/20/2023

WITNESSES KNOWN TO STATE'S ATTORNEY AT TIME OF FILING THIS INFORMATION:

ANGELIA M. GRIES - CLERK OF COURTS, MINNEHAHA COUNTY, SOUTH DAKOTA
MICHAEL MILSTEAD - SHERIFF, MINNEHAHA COUNTY, SOUTH DAKOTA
SIOUX FALLS POLICE DEPARTMENT IDENTIFICATION SECTION



WITNESSES KNOWN TO THE STATE AFTER THE FILING OF THE INFORMATION AND ENDORSED WITH THE PERMISSION OF THE COURT: