

Former S.D. Attorney Gets More Prison Time

MITCHELL (AP) — A former South Dakota county prosecutor imprisoned in Arizona for manslaughter has been given more time behind bars on aggravated assault and kidnapping charges.

Former Davison County State's Attorney Dan Gukeisen pleaded guilty in November to pulling a gun on a 74-year-old process server in January, the *Daily Republic* reported.

Gukeisen, 30, was sentenced to 6 1/2 years in prison, to be served at the same time as his five-year term for manslaughter. That means the Tempe, Ariz., bankruptcy lawyer will serve an additional 1 1/2 years.

The latest charges were leveled after Gukeisen attacked the process server, who had brought papers to Gukeisen's home. Gukeisen was accused of holding the man down at gunpoint.

The incident involving the process server was not related to Gukeisen's May conviction for the stabbing death of 22-year-old Arizona State University student Garrett Hohn in September 2008. Hohn had been walking past Gukeisen's townhome with a friend when the former prosecutor confronted them. An argument ensued, and Gukeisen stabbed Hohn, who died about an hour later at a nearby hospital.

Gukeisen, a Plankinton native, graduated from the University of South Dakota law school. The *Daily Republic* reports that he became the Davison County State's Attorney when he was 25.

After moving to Arizona, he opened his own firm as a bankruptcy lawyer.

Neb. Deputy Arrested For Drunken Driving

HASTINGS, Neb. (AP) — An eastern Nebraska sheriff's deputy is facing a charge of driving under the influence that may affect his job.

The *Hastings Tribune* reports that an Adams County Sheriff's deputy John Stewart was arrested early Sunday morning on suspicion of drunken driving. He was detained briefly before being released.

Charges have not yet been filed because County Attorney Donna Fegler Daiss says a special prosecutor will likely be appointed to handle the case.

No phone number is listed for the 34-year-old Stewart.

Sheriff Gregg Magee says Stewart has been on leave for about six weeks while he recovers from an injury. Magee says Stewart's employment will be reviewed when he is medically cleared to return to work.

Stewart has been with the sheriff's office about eight years.

Sioux Falls Police Warn Of Phone Scam

SIOUX FALLS (AP) — Sioux Falls police are warning residents about a phone scam where the caller identifies says they are a member of law enforcement and asks for money from unpaid fines.

Police say there have been at least two reports of the scam, although no money has been given.

The *Argus Leader* reports that the person calling says they are member of law enforcement and usually asks for \$300 to \$500 in unpaid fines.

S.D. Man Sentenced For Assaulting Officer

SIOUX FALLS (AP) — A South Dakota man accused of biting a federal officer several times on the hands and arms has been sentenced to five years in prison.

Thirty-six-year-old Damon LaRoche of Lower Brule was accused of attacking an officer who was called to remove LaRoche from a residence in July. LaRoche pleaded guilty in September to an assault charge.

U.S. Attorney Brendan Johnson says LaRoche will be on supervised probation for three years following his prison term.

Woman Dies In Crash Near Norfolk Airport

NORFOLK, Neb. (AP) — Authorities say a 67-year-old Norfolk woman has died in a traffic accident near the Norfolk airport.

The Nebraska State Patrol says Nancy Foster was driving north on old U.S. Highway 81 when her vehicle drifted into the west ditch about 5:30 a.m. Wednesday.

The patrol says Foster's vehicle rolled when she tried to drive back onto the roadway. She was ejected and later pronounced dead at the scene.

S.D. Court Upholds Dismissal Of School Abuse Lawsuit

BY CHET BROKAW
Associated Press

PIERRE — A man who alleges he was sexually abused decades ago at an American Indian boarding school cannot continue his lawsuit against the religious organizations that ran the school, the South Dakota Supreme Court ruled Thursday.

The high court's unanimous ruling upheld a trial judge's decision to throw out the lawsuit because D.Z. Iron Wing waited too long to file it.

The justices agreed with Circuit Judge Bradley Zell of Sioux Falls, who found that Iron Wing knew of injuries or should have discovered injuries caused by the alleged abuse more than three years before he filed his lawsuit against the Catholic Church and

the religious organizations that previously ran the St. Paul's Indian School in Marty.

"The evidence indisputably shows that Iron Wing never forgot the abuse and was aware that he was angry and felt hatred toward the church, the nuns, and the priests, as well as their orders since his junior year of high school," Justice John K. Konenkamp wrote for the high court.

That meant Iron Wing should have at least sought to discover the cause of his hatred and anger more than three years before he went to court, the Supreme Court said.

At issue was a state law that requires a lawsuit seeking damages for childhood sexual abuse to be filed within three years of the alleged abuse or within three years of the time the victim discovered or should have discovered an injury was caused by the

alleged abuse.

Iron Wing, 64, filed a lawsuit in 2008 against the Catholic Diocese of Sioux Falls, Blue Cloud Abbey, the Oblate Sisters of the Blessed Sacrament and a nun and a priest he alleged abused him when he attended the school in 1953-1964. The religious organizations ran the school for decades, but the school has since been transferred to control of the Yankton Sioux Tribe. Lawyers in the case said the nun and priest accused of the abuse have died.

Dozens of similar lawsuits alleging sexual abuse at Indian boarding schools in South Dakota have been filed, but most have been dismissed after judges found the former students waited too long to sue.

Michael J. Ford of St. Cloud, Minn., a lawyer for the Oblate Sisters, said Thursday

he had not had a chance to read the ruling, but added: "Obviously, my clients are relieved."

Ford said laws limiting the time in which such lawsuits can be filed were put in place because evidence and witnesses are not available after too long a time has passed.

Iron Wing's attorney did not immediately return a phone call seeking comment.

Iron Wing said in a deposition that the sexual abuse caused him anger and hatred toward the Catholic Church, nuns and priests. However, he argued that a psychologist found that his anger and hatred were just ways to cope with a broader range of injuries that he did not discover until recently. The psychologist said Iron Wing has moderate depression and post-traumatic stress disorder.

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