

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

IN CIRCUIT COURT  
SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, )  
 )  
Plaintiff, )  
 )  
Vs. )  
 )  
AUSTIN GOSS, )  
 )  
Defendant. )  
 )

File No. 58CRI23-39

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE AND BE ADVISED that Jason A. Glodt of Gunderson, Palmer, Nelson & Ashmore, LLP, hereby notes his appearance on behalf of Austin Goss, in the above entitled action.

Dated: May 4, 2023.

GUNDERSON, PALMER, NELSON  
& ASHMORE, LLP

By: /s/ Jason A. Glodt  
Jason A. Glodt  
Attorney for Defendant  
111 West Capitol Ave., Suite 230  
Pierre, South Dakota 57501  
Telephone: (605) 494-0105  
E-mail: jglodt@gpna.com

**CERTIFICATE OF SERVICE**

I hereby certify on May 4, 2023, a true and correct copy of **NOTICE OF APPEARANCE** was filed in court and a copy served upon the following individual:

Thomas P. Maher  
204 N Euclid Ave  
Pierre, SD 57501  
*Attorney for Plaintiff, State of South Dakota*

By: /s/ Jason A. Glodt  
Jason A. Glodt

STATE OF SOUTH DAKOTA )  
 )  
 ) :SS  
COUNTY OF STANLEY )

IN CIRCUIT COURT  
(Magistrate Division)  
SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, )  
 )  
 ) Plaintiff, )  
 )  
vs. )  
 )  
AUSTIN HOWARD GOSS, )  
 )  
DOB: [REDACTED] )  
[REDACTED] )  
Fort Pierre, SD 57532 )  
 )  
 )  
 ) Defendant. )

58CRI23-000039

**SECOND AMENDED  
COMPLAINT**

The undersigned being duly sworn upon oath charges that on or about the 22<sup>nd</sup> day of January 2023, in the County of Stanley, State of South Dakota,

**COUNT 1**

That Defendant committed the public offense of Making Threatening, Harassing, or Misleading Contacts (Class 1 Misdemeanor), in violation of SDCL 49-31-31(5)(b), in that Defendant did, contact another person, to wit: D.L. (DOB: [REDACTED]) and in doing so, intentionally caused to be displayed as caller identification, a fictitious or misleading name or telephone number of another person, to wit: K.N. (DOB: [REDACTED]) who has not granted Defendant the right to display that other person's name or phone number;

**COUNT 2**

**That Defendant committed the public offense of Disorderly Conduct (Class 2 Misdemeanor), in violation of SDCL 22-18-35(3), in that the Defendant did intentionally cause serious public inconvenience, annoyance or alarm or created a risk to D.L. (DOB: [REDACTED]) and K.N. (DOB: [REDACTED]) thereof by disturbing any lawful assembly or meeting of persons without lawful authority;**

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

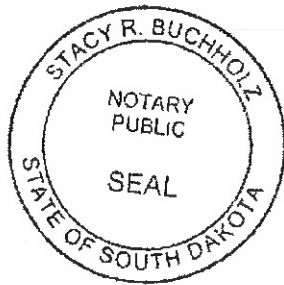
Complainant states that this complaint is based upon the attached Affidavit of Probable Cause for Warrantless Arrest, which is attached hereto and incorporated herein.

DATED this 9<sup>th</sup> day of May 2023, at Pierre, South Dakota.

Anna E. Maher

ANNA E. MAHER  
Stanley County Deputy State's Attorney

Subscribed and sworn to before me this 9<sup>th</sup> day of May 2023.



(SEAL)

Stacy R. Buchholz

Notary Public - South Dakota

Notary print name: Stacy R. Buchholz

My commission expires: 9/28/2023

STATE OF SOUTH DAKOTA )  
 )  
 ) :SS  
COUNTY OF STANLEY )

IN CIRCUIT COURT  
(Magistrate Division)  
SIXTH JUDICIAL CIRCUIT

STATE OF SOUTH DAKOTA, )  
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 ) Plaintiff, )  
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 ) vs. )  
 )  
 ) AUSTIN HOWARD GOSS, )  
 )  
 ) DOB: [REDACTED] )  
 )  
 ) Defendant. )

58CRI23-000039

INFORMATION

Anna E. Maher, as prosecuting attorney, in the name of and by the authority of the State of South Dakota, makes and files this Information against Austin Howard Goss and charges, on or about the 22<sup>nd</sup> day of January 2023, in the County of Stanley, State of South Dakota,

COUNT 1

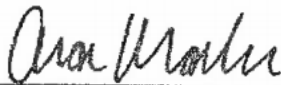
That Defendant committed the public offense of Making Threatening, Harassing, or Misleading Contacts (Class 1 Misdemeanor), in violation of SDCL 49-31-31(5)(b), in that Defendant did, contact another person, to wit: D.L. (DOB: [REDACTED]), and in doing so, intentionally caused to be displayed as caller identification, a fictitious or misleading name or telephone number of another person, to wit: K.N. (DOB: [REDACTED]) who has not granted Defendant the right to display that other person's name or phone number;

COUNT 2

That Defendant committed the public offense of Disorderly Conduct (Class 2 Misdemeanor), in violation of SDCL 22-18-35(3), in that the Defendant did intentionally cause serious public inconvenience, annoyance or alarm or created a risk to D.L. (DOB: [REDACTED]) and K.N. (DOB: [REDACTED]) thereof by disturbing any lawful assembly or meeting of persons without lawful authority;


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

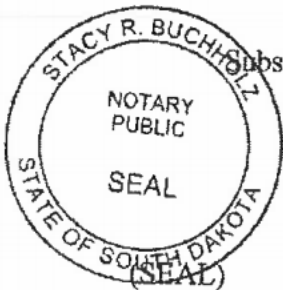
DATED this 9<sup>th</sup> day of May 2023, at Pierre, South Dakota.

  
\_\_\_\_\_  
ANNA E. MAHER  
Stanley County Deputy State's Attorney

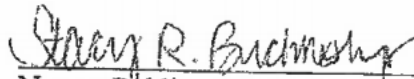
STATE OF SOUTH DAKOTA )  
 )  
:ss  
COUNTY OF STANLEY )

The undersigned prosecuting attorney, being first duly sworn states that he is the prosecuting attorney for the above matter, that he has read the foregoing Information, and that the same is true to his own best knowledge, information and belief.

  
ANNA E. MAHER  
Stanley County Deputy State's Attorney



Subscribed and sworn to before me this 9<sup>th</sup> day of May 2023.

  
Notary Public - South Dakota  
Notary print name: Stacy R. Buchholz  
My commission expires: 9/28/2023

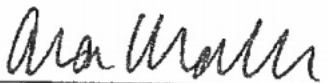
WITNESSES KNOWN TO THE PROSECUTING ATTORNEY AT THE TIME OF THE FILING OF THIS INFORMATION:

DCI Special Agent Charles T. Swanson  
D.L. (DOB: [REDACTED])  
K.N. (DOB: [REDACTED])

STATE OF SOUTH DAKOTA )  
 )  
:ss  
COUNTY OF STANLEY )

NOTICE OF DEMAND  
FOR ALIBI DEFENSE

The undersigned prosecuting attorney in the above matter, hereby states that the alleged offense was committed at Fort Pierre, South Dakota on or about the 22<sup>nd</sup> day of January, 2023. I hereby request that Defendant or his/her attorney serve upon me a written notice of her intention to offer a defense of alibi within ten days as provided in 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.

  
ANNA E. MAHER  
Stanley County Deputy State's Attorney