STATE OF SOUTH DAKOTA)
: SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT

SECOND JUDICIAL DISTRICT

In the Matter of the Concealed Pistol Permit of

ANTHONY YENET TONG, dob 4/17/75, 121 N. Cleveland Ave., #208 Sioux Falls, SD 57103;

MINNEHAHA COUNTY STATE'S ATTORNEY, Petitioner.

Civ. 04-1795

ORDER REVOKING PERMIT TO CARRY CONCEALED PISTOL

This matter came on for hearing before the Court on the 1st day of November, 2004, on the petition filed by the Minnehaha County States Attorney's Office on behalf of the Minnehaha County Sheriff for revocation of the pistol permit that had been issued to Mr. Anthony Yenet Tong. Proper notice of the petition and hearing were served on Mr. Tong, as evidenced by the Sheriff's Return in the court file. Gordon Swanson appeared on behalf of the Petitioner at the hearing, and Mr. Tong did not appear. Based on the entire file in this matter, and good cause appearing, it is now hereby

ORDERED, pursuant to SDCL 23-7-8.4, that the Permit to Carry Concealed Pistol which was originally issued by the Minnehaha County Sheriff to Mr. Anthony Yenet Tong, dob 4/17/75, is hereby revoked; and Mr. Tong shall immediately surrender the permit to the Minnehaha County Sheriff, who shall destroy the same and update his records accordingly.

Dated this 1st day of November, 2004.

BY THE COURT:

W. J. Srstka, Jr.
Circuit Court Judge

Attest: CHARLES M. FECHNER
Clerk/Deputy

FILED
NOV 01 2004
Minnehaha County, S.D.
Clerk Circuit Court

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT
SECOND JUDICIAL CIRCUIT
MAGISTRATE DIVISION

STATE OF SOUTH DAKOTA Plaintiff ANTHONY YENET TONG DOB/04-17-1975 Defendant	CIV04-1795 AFFIDAVIT IN SUPPORT OF ORDER FOR REVOCATION OF CONCEALED WEAPONS PERMIT

I, Marvin D. Thorstenson,being first duly sworn on oath, deposes and states that he is a Detective with the Minnehaha County Sheriff's Department, Sioux Falls, South Dakota, and has been a law enforcement officer for over twenty eight (28) years and that during that time has been involved int the investigations of violations of South Dakota Statutes, and other matters involving law enforcement responsibilities, to include the enforcement of statutes to include the procedures , for cause, involving the revocation of concealed weapons permit issued under authority of law, as written in SDCL 23-7-8.4.

1. Your Affiant states that on August 11, 2004, officers of the Sioux Falls Police Department were called by the management of 121 North Cleveland Avenue, Apartment 208, Sioux Falls, South Dakota, Minnehaha County, to assist in the investigation of a disabled fire alarm.

2. Sioux Falls Police Officers Brian Reinwald, and Eric Lewis responded and were advised by Steve Painter, management of this apartment complex, that Midwest Alarm Company had notified him that thefire alarm was inoperative due to someone disconnecting a horn, which is the actual fire alarm located in each apartment..It was further determined that the disconnected horn was in Apartment 208, which is occupied by the defendant in this case.

3. Your Affiant further states that when the Officers arrived they spoke with the defendant, who admitted that he had disconnected the fire alarm, but would not let them into his apartment. The officers felt that the defendant was acting very odd.

4. The Officers were advised by supervisory personnel that they should enter the apartment, due to public safety concerns, The defendant was re-approached and did allow officers to enter his apartment.

5. Officers did notice that devices in the apartment of the defendant had been dismantled, to include the ceiling fans, ceiling lights, smoke detectors, and things attached to the walls, or ceilings, that are electrically powered.

6. Defendant did tell these Officers that the reason he had disabled these aforementioned devices was because the people in the apartment below him were eavesdropping on him. Defendant also was acting abnormal by taking several minutes to answer simple questions. The defendant was quite defensive when he did answer the officers inquiries.

04-1795

7. Your Affiant also states that the defendant exhibited unusual behavior to the officers when he was asked several time is there was anyone else in the apartment. Defendant was asked by Officer Reinwald if he could check the other rooms at which time the defendant did back toward a closed door to a bedroom, thereby blocking the entrance for the officers. Officers felt that the defendant was acting paranoid and that defendant was delusional.

8. It was at this time that the officers did handcuff the defendant for their own safety, and while doing so, Officer Reinwald did feel something on the defendants back, at which time his shirt was lifted and a 40 caliber, Model 239 Sig Sauer handgun with a double magazine pouch was located on his belt. The handgun was fully loaded with a round in the chamber. Also located on the defendant was a canister of pepper spray, a pocket knife and a folding spider cone knife.

9. Your Affiant further states that as Officer Lewis entered the bedroom he discovered a Colt AR-15 rifle with an large amount of ammunition. Defendant was very evasive in his answers to officers' questions and would only state that he had the weapons and ammunition for protection.

10. Defendant was asked if he would consider shooting somebody else, to which the defendant would not answer, instead placing his head between his knees, refusing to answer. Officers did feel at this time there was a danger to the public. Defendant made statements that there were people at work that were talking bad about him, but would not elaborate.

11. Officers , after finding the large assortment of ammunition and the weapons, and with the behavior of the defendant, placed a mental hold on him where he was transported to the Mental Health Unit at McKennan Hospital on a 24 hour mental hold.

12. Your Affiant further states that in addition to the 2 weapons seized by the officers, that also taken into police custody were: 15-50 round boxes of Black Hills .223 caliber ammunition, 2-30 round AR-15 magazines loaded with .223 ammunition, 50 rounds of black Hills 40 S & W ammunition, 100 rounds of Winchester 40 caliber S & W ammunition, a 50 round box of Speer Lawman 40 caliber S & W ammunition, a 10-round AR-15 magazine loaded with Speer Gold-Dot 40 caliber S & W ammunition, 2-30 round AR-15 magazines loaded with .223 caliber ammunition, 20 rounds of Federal 40 caliber S & W ammunition, and 15 round of Speer Gold-Dot 40 caliber ammunition (in box)

13. Defendant has a South Dakota Concealed weapons permit number 011016, issued October 5th, 2001, and valid until October 5th, 2005. This permit was issued out of Minnehaha County.

04-1245

Based on the foregoing information, your Affiant believes that probable cause has been shown to provide sufficient cause to make application to the Circuit Court for an order to show cause why the defendant's permit to carry a concealed permit should not be revoked, and would pray for the Circuit Court to further make such order.

Dated at Sioux Falls, South Dakota, this 16 day of August, 2004

Marvin D. Thorstenson
Deputy Sheriff

Subscribed and sworn to before me this 16 day of August, 2004

~~MAGISTRATE JUDGE~~
NOTARY

GORDON D. SWANSON
Notary Public
Commission Expires August 12, 2008

FILED
AUG 16 2004
Minnehaha County, S.D.
Clerk Circuit Court

STATE OF SOUTH DAKOTA)
: SS
COUNTY OF MINNEHAHA)

IN CIRCUIT COURT

SECOND JUDICIAL DISTRICT

In the Matter of the Concealed Pistol Permit of

ANTHONY YENET TONG, dob 4/17/75,
121 N. Cleveland Ave., #208
Sioux Falls, SD 57103;

MINNEHAHA COUNTY STATE'S ATTORNEY, Petitioner.

CI 04795

Civ. _____

PETITION FOR REVOCATION OF CONCEALED PISTOL PERMIT

The undersigned prosecuting attorney respectfully petitions the Court pursuant to SDCL 23-7-8.4 for its Order directing ANTHONY YENET TONG to appear before the Court, then and there to show cause why his permit to carry a concealed pistol should not be revoked.

This Petition is based on the Affidavit in Support of Application for Revocation of Concealed Weapon Permit of Deputy Sheriff Marvin D. Thorstenson, dated August 16, 2004, which is attached hereto and incorporated herein by this reference.

WHEREFORE, Petitioner prays that the Court issue an Order to Show Cause why the concealed pistol permit of ANTHONY YENET TONG should not be revoked; and that after hearing on said Order to Show Cause, the Court order Mr. Tong to immediately surrender his permit to the Sheriff of Minnehaha County.

Dated this 16 day of August, 2004.

MINNEHAHA COUNTY STATES ATTORNEY

By: Deputy State's Attorney
415 N. Dakota Ave.
Sioux Falls, SD 57104
(605) 367-4226

FILED
AUG 16 2004
Minnehaha County, S.D.
Clerk Circuit Court

STATE OF SOUTH DAKOTA)
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MINNEHAHA COUNTY STATE'S ATTORNEY, Petitioner.

Civ. 04-1795

ORDER TO CONTINUE HEARING

The Court having reviewed the request for continuance submitted by Deputy States Attorney Gordon D. Swanson at Petitioner's request, and good cause appearing, it is now hereby

ORDERED that the hearing set for October 4, 2004 shall be continued to the 1ST **day of** November, **2004 at** 10:30 **o'clock** a.m., **in courtroom #** 30 of the Minnehaha County Courthouse, 425 N. Dakota Ave., Sioux Falls, South Dakota.

Dated this 29 day of September, 2003.

BY THE COURT:

Circuit Court Judge

Attest: CHARLES M. FECHNER
Misty Rosheim
Clerk/Deputy

FILED
SEP 29 2004
Minnehaha County, S.D.
Clerk Circuit Court

South Dakota Unified Judicial System

Record Search Report

Name: TONG, ANTHONY YENET	DOB: 04/17/1975	Gender: M	Party ID: 5755778	UJS ID: 3610232
Address: 121 N. CLEVELAND, #208, SIOUX FALLS, SD				
Aliases: TONG, ANTHONY YENET; TONG, ANTHONY; TONG, ANTHONY Y				

****

Docket Number: 49CIV04001795 filed in Minnehaha on 08/16/2004 Case Status: Terminated

Plaintiff: IN RE: CONCEALED PISTOL PERMIT

Petitioner: MINNEHAHA COUNTY STATES ATTORNEY

Filing Name: TONG, ANTHONY YENET

Proceeding Description	Judge	Begin Date	Begin Time	Status Description
All Other Hearings		10/04/2004	9:30 AM	Continuance-Requested by Prosecutor
All Other Hearings		11/01/2004	10:00 AM	Held

Judgment	Judgment Status	Debtor(s)	Debtor Status	Creditor(s)

The search you requested is a court records search based on information you provided. The search results may include criminal court data from January 1989 to present, civil court data from January 2006 to present, active money judgments for the past twenty years, and/or inactive money judgments since April 2004, DEPENDING ON THE TYPE OF SEARCH REQUESTED. Records returned are only those that precisely match this information. There may be instances where fine and cost information will appear immediately below a dismissed charge. The amounts indicated are accurate for a different charge but there should be no fine and cost information related to a dismissed charge. Based on the age of a case, not all financial information may be available in the case management system. You should contact the Clerk of Court office where an original action took place to correct any misinformation and collect any missing information.

9/21/2018 1:22:19 PM