

another person from the other's place of residence or employment, or unlawfully remove another person a substantial distance from the vicinity where the other was at the commencement of the removal, or unlawfully confine another person for a substantial period of time, with intent to inflict bodily injury on or to terrorize the victim of another;

-in the alternative-

Count II

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Kidnapping, Second Degree - Inflict Bodily Injury or Terrorize - Class 1 Felony (SDCL 22-19-1.1(3) & 22-6-1(4))** in that said individual did unlawfully hold or retain another person with intent to inflict bodily injury on or terrorize said person;

Count III

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Kidnapping, Second Degree - Inflict Bodily Injury or Terrorize - Class 1 Felony (SDCL 22-19-1.1(3) & 22-6-1(4))** in that said individual did unlawfully hold or retain another person with intent to inflict bodily injury on or terrorize said person;

Count IV

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Aggravated Assault (Domestic)- Strangulation - Class 3 Felony (SDCL 22-18-1.1(8) & 22-6-1(7))** in that said individual did attempt to induce a fear of death or imminent serious bodily harm by impeding the normal breathing or circulation of the blood of L.W. by applying pressure on the throat or neck, or by blocking the nose and mouth;

Count V

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Aggravated Assault (Domestic)- Strangulation - Class 3 Felony (SDCL 22-18-1.1(8) & 22-6-1(7))** in that said individual did attempt to induce a fear of death or imminent serious bodily harm by impeding the normal breathing or circulation of the blood of L.W. by applying pressure on the throat or neck, or by blocking the nose and mouth;

Count VI

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Interfere With Emergency Communication - Class 1 Misdemeanor (SDCL 49-31-29.2 & 22-6-2(1))** in that said individual did prohibit or interrupt another person's use of communication device to summon aid to an emergency by using physical force, intimidation, interference or by destroying, disabling, or damaging the communication device;

Count VII

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **False Imprisonment - Class 1 Misdemeanor (SDCL 22-19-17 & 22-6-2(1))** in that said individual did knowingly and purposely restrain (initials of victim) unlawfully so as to substantially interfere with such person's liberty;

Count VIII

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Aggravated Assault (Domestic)- Deadly**

Weapon - Class 3 Felony (SDCL 22-18-1.1(5) & 22-6-1(5)) in that said individual did attempt by physical menace with a deadly weapon to put L.W. in fear of imminent serious bodily harm.
-in the alternative-

Count IX

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Simple Assault (Domestic) - Attempt with Ability - Class 1 Misdemeanor (SDCL 22-18-1(1) & 22-6-2(1))** in that said individual did attempt to cause bodily injury to L.W., and had the actual ability to cause the injury.

Count X

That on or about May 19, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Simple Assault (Domestic) - Physical Menace - Class 1 Misdemeanor (SDCL 22-18-1(4) & 22-6-2(1))** in that said individual did attempt by physical menace or credible threat to put L.W. in fear of imminent bodily harm, with or without the actual ability to harm that individual.

Count XI

That on or about June 10, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Simple Assault (Domestic) - Physical Menace - Class 1 Misdemeanor (SDCL 22-18-1(4) & 22-6-2(1))** in that said individual did attempt by physical menace or credible threat to put L.W. in fear of imminent bodily harm, with or without the actual ability to harm that individual.

Count XII

That on or about June 10, 2023, in the County of Codington, State of South Dakota, Deven Taylor Burgher, did commit the public offense of **Intentional Damage to Property - \$5000 - \$100,000 - Class 4 Felony (SDCL 22-34-1 & 22-6-1(7))** in that said individual did with the specific intent to do so, injured, damaged or destroyed property of L.W. , without consent and the damage is one hundred thousand dollars or less, but more than five thousand dollars

