

**MONDAY, JANUARY 9, 2012**

**NO. 11**

**#25970**

**STATE OF SOUTH DAKOTA,  
Plaintiff and Appellee,**

**VS.**

**MARCKUS R. DRAKE,  
Defendant and Appellant.**

Mr. Scott B. Carlson  
Attorney at Law  
701 West Victory Lane  
Sioux Falls SD 57108  
Ph: 521-0844

**(FOR APPELLANT)**

Mr. Timothy J. Baunard  
Assistant Attorney General  
1302 East Highway 14 Suite 1  
Pierre SD 57501-8501  
Ph: 773-3215

**(FOR APPELLEE)**

The Honorable Stuart L. Tiede  
Second Judicial Circuit  
Lincoln County

**(CR 10-145)**

**NON ORAL**