



NEWS RELEASE

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Day County Jury Returns Guilty Verdict in Grand Theft Case Involving Elderly Man

PIERRE, S.D. - Attorney General Marty Jackley announced today that a Day County jury has found Gary Podzimek, 59, Bristol, guilty of one count of grand theft by deception, one count of attempted grand theft by deception, one count of deceptive act or practice, four counts of making a false or fraudulent sale tax return, one count of failure to pay sales tax two or more times in a twelve month period and two counts of failure to pay sales tax.

“Podzimek knowingly billed the elderly victim \$53,000 worth of fraudulent vehicle repairs and was paid over \$39,000 before vigilant bankers caught on to the scheme. The victim, who was 83 years-old at the time of the theft, passed away without ever getting his vehicle back from Podzimek,” said Jackley. “Financial elder abuse will not be tolerated and we will continue to prosecute to the fullest extent that the law will allow.”

Charges stemmed from unauthorized and unnecessary mechanical work that Podzimek performed on the victim’s 1976 Chevy pickup. In addition, Podzimek filed false or fraudulent tax returns which underreported the gross sales which his auto repair business earned during the tax reporting periods, and then that he only paid sales tax on that underreported amount.

This case was investigated by Attorney General’s Consumer Protection Division, the Day County Sheriff’s Office, and the South Dakota Department of Revenue. Special appreciation to Special Assistant Attorney General Lee Schoenbeck, Assistant Attorney General Phil Carlson, the investigators and the jurors for their work on this important case.

A sentencing date has not yet been set.