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Maggie Fleming

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NEWS RELEASE

September 28, 2016

Today, Humboldt County District Attorney Maggie Fleming announced that after a six-day jury trial before Judge Marilyn Miles, jurors convicted Tennessee resident Ervin Sweat, 26, of driving recklessly while evading a police officer, a felony violation of the California Vehicle Code. The case against Sweat arose after an incident on June 28, 2014, when a Fortuna Police officer approached him in the McDonald's parking lot on South Fortuna Boulevard in response to a citizen's call regarding a driver who was possibly intoxicated. Sweat fled in his vehicle, driving at speeds exceeding 100 mph and failing to stop at several intersections. Fortuna Police were able to apprehend Sweat after he abandoned his vehicle and attempted to flee on foot. Officers recovered prescription pills, marijuana, and over \$2000 in cash from Sweat's vehicle after the chase. Prosecution of the case was delayed after Sweat failed to appear in court, and charges were brought against him in Santa Barbara for unrelated criminal misconduct.

The case has been referred to the Humboldt County Probation Department for a pre-sentencing report. Sentencing is scheduled for November 7, 2016. He faces a maximum sentence of 3 years.

Deputy District Attorney (D.D.A.) Luke Bernthal prosecuted the case with assistance from D.D.A. Brent Kling and the Fortuna Police Department. Sweat was represented by Deputy Public Defender Meagan O'Connell of the Humboldt County Public Defender's Office.