



## OFFICE OF THE SAINT LOUIS COUNTY ATTORNEY

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### NEWS RELEASE

September 12, 2016

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**FOR IMMEDIATE RELEASE:**

## Duluth man sentenced for vehicular homicide

David Andrew Smithson, 27, of Duluth was sentenced Monday to four years in prison after pleading guilty to driving under the influence of a controlled substance when his vehicle struck and killed pedestrian Brian Respler on Dec. 19, St. Louis County Attorney Mark Rubin said.

Judge Mark Munger handed down the 48-month sentence in State District Court. He also ordered the defendant to pay \$7,500 restitution for the victim's funeral expenses.

Mr. Respler, 37, of Duluth, was reportedly seen walking on a sidewalk on the 6200 block of Grand Avenue about 4:15 p.m., on Dec. 19 when Smithson's vehicle left the street and struck the victim, who died at the scene.

The defendant told the court at his July 18 plea hearing that he fell asleep at the wheel.

Smithson told Duluth police that he had used heroin the day before the accident. He said he had been awake a couple of days and fell asleep at the wheel because of his drug problem. Tests conducted by the Bureau of Criminal Apprehension crime lab revealed that the defendant had morphine, amphetamine, methamphetamine and tetrahydrocannabinol (THC) in his system at the time of the accident.

The case was prosecuted by Assistant St. Louis County Attorney Vicky Wanta.

"Our condolences go out to Mr. Respler's family and friends as they grapple with this tremendous loss," Wanta said.