



NEWS RELEASE  
GREENE COUNTY PROSECUTING ATTORNEY  
DAN PATTERSON

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Contact: Rhonda Ogden, Office Manager – (417) 868-4061  
1010 Boonville  
Springfield, MO 65802

06/11/2014

FOR IMMEDIATE RELEASE

INTOXICATED TEEN DRIVER SENT TO PRISON

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Tate Mueller, 19, of Springfield, MO was sentenced today for Involuntary Manslaughter in the 1<sup>st</sup> Degree for driving while intoxicated and killing Justin Sherpinsky, age 20.

On February 5, 2013 police officers responded to the intersection of I-44 and US 65 to a one vehicle collision. The vehicle was resting on the roof with the roof crushed inward. Justin Sherpinsky was pronounced dead at the scene from massive head trauma. Mueller, the driver of the vehicle that killed Sherpinsky, failed to drive on the roadway and caused this single vehicle crash. Mueller's blood alcohol level was measured at .137%. Mueller told officers he drank 8 to 10 beers and had driven down I-44 from Marshfield.

Mueller was sentenced by The Honorable Dan Conklin to 2 years in the Missouri Department of Corrections for Involuntary Manslaughter. At sentencing, the victim's family and the State requested that Mr. Mueller serve time in prison. Mr. Mueller's attorney, Tyson Martin, requested probation and a Suspended Imposition of Sentence so this event would eventually be off of Mr. Mueller's record. Involuntary Manslaughter in the 1<sup>st</sup> Degree is a Class C Felony in the State of Missouri and is punishable by up to 7 years in prison.

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FELONY INFORMATION  
IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI  
Division CC3

STATE OF MISSOURI, )  
Plaintiff, )  
)  
)  
vs. ) Case No. 1331-CR04317-01  
)  
TATE AUGUST MUELLER, ) OCN# o7037416  
)  
Defendant. ) PA File No. 077309728

State of Missouri )  
) ss. )  
County of Greene )

COUNT I  
(Missouri Charge Code: 1005399.)

The Prosecuting Attorney of the County of Greene, State of Missouri, charges that the defendant, in violation of Section 565.024, RSMo, committed the class C felony of involuntary manslaughter in the first degree, punishable upon conviction under Sections 565.024 and 558.011, RSMo, in that on or about February 5, 2013, in the county of Greene, State of Missouri, the defendant, while under the influence of alcohol caused the death of Justin Scherpinsky by driving off the roadway when operating a motor vehicle with criminal negligence in that the defendant drove off the roadway.

DAN PATTERSON  
Prosecuting Attorney of the County of  
Greene, State of Missouri, by



Electronically signed;

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Philip M. Fuhrman  
Assistant Prosecuting Attorney  
Missouri Bar No. 61984  
1010 Boonville Ave.  
Springfield, MO 65802  
(417) 868-4061  
FAX (417) 868-4160

Philip M. Fuhrman, Assistant Prosecuting Attorney of the County of Greene, State of Missouri, being duly sworn, upon oath says that the facts stated in the above information are true, according to his best information, knowledge and belief.

A handwritten signature in black ink, appearing to read "Philip M. Fuhrman", with a long horizontal flourish extending to the right.

Electronically signed;

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Philip M. Fuhrman  
Assistant Prosecuting Attorney



# SPRINGFIELD POLICE DEPARTMENT



## FELONY PROBABLE CAUSE STATEMENT

Date: 05/18/2013 Case #: LSP130205004980

I, BRIAN REEVES, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that TATE A MUELLER, White/Male, DOB 10/13/1994, committed one or more criminal offenses.
2. The following crime(s) happened on 2013/02/05 00:14 - 2013/02/05 00:14 at E I44 FRWY and N US HIGHWAY 65 HWY , SOUTHERN INTERSECTION in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

On 2-5-2013 Tate Mueller was driving a 1998 Saturn SC2 Coupe west bound on Interstate 44 (I44). His passenger in the vehicle was JS. According to Mueller, they were both intoxicated but JS had consumed more beer than he. While at the hospital Mueller advised he had only consumed eight to ten beers. Mueller advised Ofc. Mallow that he felt like he was under the influence of an alcoholic beverage. Mueller admitted to being the driver of the vehicle both while on scene and while at the hospital. According to Mueller, while driving west bound on I44 a vehicle changed lanes in front of him. Mueller's reaction was to swerve to the right. This caused a loss of control of the vehicle. As the vehicle was sliding sideways it went off the road into a grass ditch on the north side of the highway. While the vehicle was sliding sideways in the grass the vehicle tripped and started to roll over. The vehicle rolled over more than one complete rotation coming to rest on its top on the exit ramp, 82B. JS was pronounced dead at the scene and sustained massive head trauma as a result of the vehicle rolling over.

Mueller exhibited all six indicator of Horizontal Gaze Nystagmus and tested positive for alcohol on a Preliminary Breath Test. Ofc. Mallow also noted he could smell a strong odor of intoxicants coming from Mueller's breath as he spoke. He also noticed Mueller's speech was slurred and his eyes were glassy and bloodshot. On the scene of the crash Cpl. Schroeder also detected the odor of intoxicants coming from the vehicle and observed beer cans in the vehicle. Ofc Mallow advised Mueller of the Implied Consent and requested a blood test. Mueller submitted to the blood test which was analyzed by the Missouri Highway Patrol Crime Laboratory. The blood test showed a blood alcohol concentration of .137.

The facts contained above are true.

Brian Reeves  
Signature

1032  
DSN

Officer  
Title

077-309128