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**FOR IMMEDIATE RELEASE**

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**BIRKENFELD FOUND GUILTY OF FELONY DOMESTIC ASSAULT**

FORSYTH, MO – Taney County Prosecuting Attorney Jeffrey M. Merrell announced today that DANIEL BIRKENFELD, dob: 12-08-1972, of Republic, Missouri, was found guilty by a Taney County jury of the class C felony of domestic assault in the second degree late Tuesday evening, June 19, 2012. Jury selection and arguments began on Monday, June 18<sup>th</sup>, with the presentation of evidence taking most of Tuesday. The 5-man, 7-woman jury had the case for about three (3) hours after closing arguments before handing down the guilty verdict. Birkenfeld was acquitted of a single misdemeanor count of domestic assault in the third degree.

On August 12, 2011, Taney County Deputies responded to a 9-1-1 call from the assault victim, on Lone Star Road in Forsyth. When deputies arrived, defendant had fled the scene of the crime, and the female victim was in a closet hiding from Birkenfeld, with guns, scared. The victim explained to officers that Birkenfeld had pushed her through a room divider and causing her serious physical injury. The victim later went to the hospital, had bruises, and those injuries were photographed.

The victim was not completely cooperative with the prosecution throughout the case, but did ultimately testify in the trial. With the photographs and observations by officers on the scene, plus the victim's distress call to 9-1-1, Assistant Prosecuting Attorney Olivia McNair proved the existence of the assault perpetrated on the victim by Birkenfeld on August 12, 2011.

“This verdict is the result of a cooperative effort by many law enforcement officers, 9-1-1 dispatchers, and all of the prosecutors in our office,” says Taney County Prosecuting Attorney Jeff Merrell. “This case might not have ever made it to the jury to decide without everyone working together in a persistent effort to ensure that domestic violence in our community has consequences. These are important cases, because they have the greatest potential to become lethal. We don't want Taney County to be a community where domestic assault is tolerated, merely because it happens behind closed doors.”

Sentencing has been scheduled to be held before Judge James Justus on July 10, 2012. The class C felony of domestic assault in the second degree carries a maximum sentence of not more than seven (7) years in the Missouri Department of Corrections.

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