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#### (S.D.)-Judge Orders New Trial For Belle Fourche Man



By: Chris Fankhauser Posted at: 10/29/2013 01:19 PM

DEADWOOD, S.D. (AP) - A judge says a Belle Fourche man serving 25 years for a fatal accident conviction should get a new trial.

Oakley Engesser was convicted of vehicular homicide and vehicular battery for the 2000 accident on Interstate 90 near Sturgis that killed his friend, Dorothy Finley, of Rapid City.

Some witnesses have said Finley and not Engesser was behind the wheel of the speeding Corvette that crashed into the back of a van.

Judge Warren Johnson, of Deadwood, has overturned Engesser's conviction and ordered a new trial.

Prosecutors must decide whether to appeal or pursue charges again.

Engesser lost earlier appeals, but a federal judge threw out his conviction in 2011 and he was released from prison. Then an appeals court reinstated it last year.

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