

OFFICE OF THE
PROSECUTING ATTORNEY



LARRY J. BURDICK
Prosecuting Attorney
County of Isabella

200 North Main Street
Mt. Pleasant, Michigan 48858
Telephone: (989) 772-0911, Ext. 311
Facsimile: (989) 775-8413

Roy R. Kranz
Chief Assistant Prosecutor
Robert A. Holmes, Jr.
Principal Trial Attorney
Risa N. Scully
Mark G. Kowalczyk
Senior Assistant Prosecutors
Christine E. Hickman
Stuart M. Black
Assistant Prosecutors
Stacey R. Wiley
Victim Rights Coordinator

M E D I A R E L E A S E

September 12, 2007

A 21 year old Mt. Pleasant man will not be charged relative to the taking of \$150.00 dropped by a 9 year old boy in the Walmart parking lot in Mt. Pleasant on September 2nd. The boy had saved the money from his allowance, and was going into Walmart with his father to purchase a gift for his sister. On their way in, the boy dropped the money, which was all in one dollar bills and inside a ziploc bag. Video taken by cameras in the Walmart parking lot, showed a man passing the path of where the boy and his father were, finding the money on the ground and placing it in his pocket.

Five days after the loss was reported, Anthony Soyak, a student at Central Michigan University, appeared at the Isabella County Sheriff's Department, to turn in the money. Soyak returned the money in its original denominations of 150 one dollar bills. He indicated that he had not spent any of the money, and was extremely remorseful for not immediately turning it in. He advised the detective interviewing him, that over the course of the several days that he had the money, he spoke to several people about what he had found, and whether he should turn the money in. He stated that he had been "miserable" over the course of days since finding the money, and he wanted to make it right.

Upon reviewing the report, video and after contact with the boy's father, who indicated the family did not wish prosecution, the decision was made not to file charges.

Larceny requires a "taking" of property, but the video is inconclusive as to whether Soyak actually knew who had dropped the money. Additionally, an intent to "permanently deprive" the property is needed. Here, it appears that Soyak was conflicted about whether to keep the money, and ultimately returned it.

"The actions of the Walmart employees in raising money to replace that which the 9 year old initially lost should be applauded, as should all the folks who contacted Walmart and other officials with offers to help. As for Mr. Soyak, he made a poor initial decision, but corrected it a few days later." Larry Burdick

State law provides that lost property shall be turned in to a local law enforcement agency, who will then attempt to locate the rightful owner. If no owner can be located, the property is typically released to the finder.

Larry J. Burdick
Prosecuting Attorney 