

District Court, Teller County, Colorado Teller County District Court, 101 W Bennett Avenue Cripple Creek, CO 80813	DATE FILED: February 18, 2019 4:56 PM
<b>THE PEOPLE OF THE STATE OF          COLORADO</b>  vs. <b>PATRICK FRAZEE ,</b> Defendant	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>
Daniel H. May Fourth Judicial District District Attorney, # 11379 Teller County District Attorney P O Box 958 Cripple Creek, CO 80813 Phone Number: 719-520-7168 Fax: 719-520-7090	Case No: D0602018CR000330  Div: 11                      Courtroom:
<b>AMENDED COMPLAINT AND INFORMATION</b>	

DOMESTIC VIOLENCE

**CHARGES: 8**

**COUNT 1: MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(a) (F1){01011}**

**COUNT 2: SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(a);18-2-301 (F2){01011S}**

**COUNT 3: MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(b) (F1){01012}**

**COUNT 4: SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(a);18-2-301 (F2){01011S}**

**COUNT 5: SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE, C.R.S. 18-3-102(1)(a);18-2-301 (F2){01011S}**

**COUNT 6: TAMPERING WITH A DECEASED HUMAN BODY, C.R.S. 18-8-610.5 (F3){26065}**

**COUNT 7: CRIME OF VIOLENCE, C.R.S. 18-1.3-406(2)(a)(I)(B) (SE){36092}**

**COUNT 8: CRIME OF VIOLENCE, C.R.S. 18-1.3-406(2)(a)(I)(A) (SE){36091}**

Daniel H. May, District Attorney for the Fourth Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, informs the court of the following offenses committed, or triable, in the County of Teller:

**COUNT 1-MURDER IN THE FIRST DEGREE (F1)**

On or about November 22, 2018, PATRICK FRAZEE unlawfully, feloniously, after deliberation, and with the intent to cause the death of a person other than himself, caused the death of Kelsey Berreth; in violation of section 18-3-102(1)(a), C.R.S.

**COUNT 2-SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE (F2)**

Between and including September 1, 2018 and November 1, 2018, PATRICK FRAZEE unlawfully and feloniously commanded, induced, entreated, or otherwise attempted to persuade another person to commit the felony of murder in the first degree, with intent to promote or facilitate the commission of that crime and under circumstances strongly corroborative of that intent; in violation of sections 18-3-102(1)(a) and 18-2-301, C.R.S.

**COUNT 3-MURDER IN THE FIRST DEGREE (F1)**

On or about November 22, 2018, PATRICK FRAZEE unlawfully and feloniously, acting alone or with one or more persons, committed or attempted to commit Robbery and, in the course of or in furtherance of that crime, or in the immediate flight therefrom, the death of Kelsey Berreth, a person, other than one of the participants, was caused by anyone; in violation of section 18-3-102(1)(b), C.R.S.

**COUNT 4-SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE (F2)**

Between and including September 1, 2018 and November 1, 2018, PATRICK FRAZEE unlawfully and feloniously commanded, induced, entreated, or otherwise attempted to persuade another person to commit the felony of murder in the first degree, with intent to promote or facilitate the commission of that crime and under circumstances strongly corroborative of that intent; in violation of sections 18-3-102(1)(a) and 18-2-301, C.R.S.

**COUNT 5-SOLICITATION TO COMMIT MURDER IN THE FIRST DEGREE (F2)**

Between and including September 1, 2018 and November 1, 2018, PATRICK FRAZEE unlawfully and feloniously commanded, induced, entreated, or otherwise attempted to persuade another person to commit the felony of murder in the first degree, with intent to promote or facilitate the commission of that crime and under circumstances strongly corroborative of that intent; in violation of sections 18-3-102(1)(a) and 18-2-301, C.R.S.

**COUNT 6-TAMPERING WITH A DECEASED HUMAN BODY (F3)**

Between and including November 22, 2018 and November 25, 2018, PATRICK FRAZEE, believing that an official proceeding was pending, in progress, or about to be instituted, and acting without legal right or authority, unlawfully and feloniously willfully destroyed, mutilated, concealed, removed, or altered a human body, part of a human body, or human remains with intent to impair its or their appearance or availability in the official proceedings; in violation of section 18-8-610.5, C.R.S.

**COUNT 7-CRIME OF VIOLENCE (SE)**

Between and including September 1, 2018 and November 25, 2018, PATRICK FRAZEE, during the commission, attempted commission of, conspiracy to commit, or immediate flight from the crime of Murder in the First Degree and Solicitation to Commit Murder in the First Degree, as charged Counts One through Five, unlawfully caused the death of Kelsey Berreth, a person not a participant in the crime; in violation of section 18-1.3-406(2)(a)(I)(B), C.R.S.

**COUNT 8-CRIME OF VIOLENCE (SE)**

Between and including September 1, 2018 and November 25, 2018, PATRICK FRAZEE unlawfully used, or possessed and threatened the use of, a deadly weapon, namely: a baseball bat, during the commission of, attempted commission of, conspiracy to commit, or the immediate flight from, the offense of Murder in the First Degree, as charged in Counts One and Three; in violation of section 18-1.3-406(2)(a)(I)(A), C.R.S.

All offenses against the peace and dignity of the people of the State of Colorado.

Daniel H. May  
District Attorney, # 11379

By: /s/ Jennifer Viehman Date: 2/18/2019  
Jennifer Viehman #: 33163  
Senior Deputy District Attorney

