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FILED
Superior Court of California,
County of El Dorado
08/25/2025 at 11:08:16 AM
By: Michael Schaefer, Deputy Clerk

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **IN AND FOR THE COUNTY OF EL DORADO**

11 THE PEOPLE OF THE
12 STATE OF CALIFORNIA,

13 Plaintiff,

14 -vs-

15 DARIN BLAKE MCFARLIN

16 Defendant(s).
17 _____ /

DOCKET #: 25CR2210
DA #: 0271118

CRIMINAL COMPLAINT

AGENCY REPORT #:
EDSO 25-05942

18
19 The District Attorney of El Dorado County, based upon information and belief, hereby alleges:
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21 **COUNT 1: PC187(a) (Felony)**

22 On or about August 21, 2025, in the County of El Dorado, State of California, the crime
23 of Murder in violation of PC187(a), a Felony, was committed in that DARIN BLAKE
24 MCFARLIN did unlawfully, and with malice aforethought murder Marissa Herzog, a human
25 being.

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1 **FIRST DEGREE MURDER – PC 189(a)**

2 It is further alleged, as to Count 1, pursuant to PC 189(a), that the murder of Marissa
3 Herzog was willful, deliberate and premeditated.
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5 **PC190.2(A)(3): Special Allegation-Multiple Murder**

6 It is further alleged as to Count 1 that the offenses charged in Counts 1 and 2 are a special
7 circumstance within the meaning of Penal Code Section 190.2(a)(3).
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9 **PC190.2(A)(10): Special Allegation-Murder To Prevent Testimony**

10 It is further alleged, as to Count 1 that pursuant to Penal Code section PC190.2(a)(10),
11 that Marissa Herzog was a witness to a crime and was intentionally killed because of that fact.
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13 **PC12022.53(D): Special Allegation-Personal And Intentional Discharge Of A**
14 **Firearm, Gbi**

15 It is further alleged as to Count 1 that said defendant, DARIN BLAKE MCFARLIN
16 personally and intentionally discharged a firearm, which caused great bodily injury and death to
17 Marissa Herzog within the meaning of Penal Code Section 12022.53(b)(c)(d).
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19 ***NOTICE:** Pursuant to PC 190.2(a), the penalty for a defendant who is found guilty of*
20 *murder in the first degree when a special circumstance has been found is death or imprisonment*
21 *in the state prison for life without the possibility of parole.*

22 ***NOTICE:** The above offense is a serious felony within the meaning of Penal Code*
23 *Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)*

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COUNT 2: PC187(a) (Felony)

On or about August 21, 2025, in the County of El Dorado, State of California, the crime of Murder in violation of PC187(a), a Felony, was committed in that DARIN BLAKE MCFARLIN did unlawfully, and with malice aforethought murder J. Doe 1, a human being.

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FIRST DEGREE MURDER – PC 189(a)

It is further alleged, as to Count 1, pursuant to PC 189(a), that the murder of J. Doe 1 was willful, deliberate and premeditated.

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PC190.2(A)(3): Special Allegation-Multiple Murder

It is further alleged as to Count 2 that the offenses charged in Counts 1 and 2 are a special circumstance within the meaning of Penal Code Section 190.2(a)(3).

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PC190.2(A)(10): Special Allegation-Murder To Prevent Testimony

It is further alleged, as to Count 2 that pursuant to Penal Code section PC190.2(a)(10), that J. Doe 1 was a witness to a crime and was intentionally killed because of that fact.

PC12022.53(D): Special Allegation-Personal And Intentional Discharge Of A Firearm, Gbi

It is further alleged as to Count 2 that said defendant, DARIN BLAKE MCFARLIN personally and intentionally discharged a firearm, which caused great bodily injury and death to J. Doe 1 within the meaning of Penal Code Section 12022.53 (b)(c)(d).

NOTICE: Pursuant to PC 190.2(a), the penalty for a defendant who is found guilty of murder in the first degree when a special circumstance has been found is death or imprisonment in the state prison for life without the possibility of parole.

NOTICE: The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)

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COUNT 3: PC664/PC187(a) (Felony)

On or about August 21, 2025, in the County of El Dorado, State of California, the crime of Attempt to Commit Murder in violation of PC664/PC187(a), a Felony, was committed in that DARIN BLAKE MCFARLIN did unlawfully, and with malice aforethought attempted to murder J. Doe 2, a human being.

PC12022.53(B): Special Allegation-Personal Use Of A Firearm

It is further alleged as to Count 3 that said defendant, DARIN BLAKE MCFARLIN personally used a firearm, within the meaning of Penal Code Section 12022.53(b).

***NOTICE:** The above offense is a serious felony within the meaning of Penal Code Section 1192.7(c) and a violent felony within the meaning of Penal Code Section 667.5(c)*

COUNT 4: PC273.5(a) (Felony)

On or about August 21, 2025, in the County of El Dorado, State of California, the crime of Injuring a Cohabitant or Fiancé or Girlfriend in violation of PC273.5(a), a Felony, was committed in that DARIN BLAKE MCFARLIN willfully inflicted corporal injury resulting in a traumatic condition upon Marissa Herzog, who was the defendant's cohabitant, *to wit in the bedroom before she left the room and used her cellphone and before he obtained the gun and went out to the dining room to kill her.*

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COUNT 5: PC273a(a) (Felony)

On or about August 21, 2025, in the County of El Dorado, State of California, the crime of Child Abuse Under Circumstances or Conditions Likely to Cause GBI or Death in violation of PC273a(a), a Felony, was committed in that DARIN BLAKE MCFARLIN did willfully and unlawfully, inflict unjustifiable mental suffering on a child or permit a child to suffer unjustifiable mental suffering under circumstances and conditions likely to produce great bodily harm, to wit J. Doe 2, said actions being criminally negligent when causing or permitting the child to suffer or be endangered.

***NOTICE:** Pursuant to Penal Code Sections 11166 and 11168, a Suspected Child Abuse Report (SCAR) may have been generated in this case. Penal Code Section 11167 and 11167.5 limit access to a SCAR. A protective order issued by a court is necessary to obtain a copy of the report.*

Based upon information and belief, the undersigned certifies in his/her official capacity and under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on the date stated below.

VERN R. PIERSON
District Attorney

Dated: August 25, 2025

By: _____



Lisette A. Suder
Chief Assistant District Attorney

1 **LOCATION OF CRIME: PLACERVILLE**

2 **MARSY’S LAW**

3 Information contained in the reports being distributed as discovery in this case may contain
4 confidential information protected by Marsy’s Law and the amendments to the State of California
5 Constitution Section 28. Any victim(s) in any above referenced charge(s) is entitled to be safe and
6 free from intimidation, harassment, and abuse. The defendant(s), defense counsel, and any other
7 person acting on behalf of the defendant(s) is admonished not to use any information contained in
8 the reports to locate or harass any victim or the victim’s family and not to disclose any information
9 that is otherwise privileged and confidential by law. Additionally, it is a misdemeanor violation of
10 Penal Code Section 1054.2(a)(3) to disclose the address or telephone number of a victim or witness
11 to a defendant, defendant’s family member, or anyone else. Note exceptions provided in Penal Code
§ 1054.2(a)(1) and (a)(2).

12 **PENAL CODE SECTION 1054 NOTICE**

13 **Pursuant to Penal Code §1054.5(b)**, the People are hereby informally requesting that
14 defense counsel provide discovery to the People as required by Penal Code § 1054.3 and pursuant to
15 the provisions of Penal Code § 1054.7.

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17 **WARNING: Penal Code § 1054.2** makes it a Misdemeanor Criminal Offense for an
18 attorney receiving discovery to disclose certain confidential information regarding victims and
19 witnesses to defendants and others. Attorneys should review this code section carefully before
20 sharing reports received in discovery with anyone.

21 **NOTICE: PRIOR ACT EVIDENCE - EC 1109, 1108, and 1101(b)**

22 The People intend to present any and all discovered evidence that qualifies under California
23 Evidence Code Sections 1109, 1108, and/or 1101(b) at any contested hearing(s) in the above-
24 captioned case.

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1 **NOTICE: STATEMENTS OF A CHILD WITNESS: EC 1360**

2 The People intend to present any and all discovered evidence of statements made by any and
3 all minor witnesses under the age of twelve (12) that qualify pursuant to California Evidence Code
4 Sections 1360.
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