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FILED
Superior Court of California
County of Placer

MAR 30 2022

Jake Chatters
Executive Officer & Clerk
By: K. Potter, Deputy

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11 **SUPERIOR COURT OF CALIFORNIA**

12 **COUNTY OF PLACER**

13 --oOo--

14 THE PEOPLE OF THE
15 STATE OF CALIFORNIA,

DA NO. 22-03-003858

COURT NO. **62-184715**

16 Plaintiff,

FELONY COMPLAINT

17 -vs-

18 DENNIS HENRY LYNCH,
19 aka: DENNIS H. LYNCH

20 Defendant.

21 **COUNT ONE**

22
23 On or about March 28, 2022, in the County of Placer, the crime
24 of MURDER, in violation of Penal Code section 187(a), a Felony, was
25 committed by DENNIS HENRY LYNCH, who did unlawfully, and with malice
26 aforethought murder KATHRYN LYNCH, a human being.
27
28

1 It is further alleged that the above offense is a
2 serious felony within the meaning of Penal Code section
3 1192.7(c)(1).

4 It is further alleged that the above offense is a
5 violent felony within the meaning of Penal Code section 667.5(c)(1).
6

7 **SPEC ALLEG-USE OF DEADLY WEAPON**
8

9 It is further alleged that in the commission and attempted
10 commission of the above offense, the said defendant, DENNIS HENRY
11 LYNCH personally used a deadly and dangerous weapon(s), said use not
12 being an element of the above offense, within the meaning of Penal
13 Code section 12022(b)(1) and causing the above offense to be a
14 serious felony within the meaning of Penal Code section
15 1192.7(c)(23).
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17 **SPEC ALLEG-OFFENSE WHILE ON BAIL OR O.R.**
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19 It is further alleged that at the time of the commission of the
20 above offense, the defendant, DENNIS HENRY LYNCH, was released from
21 custody on bail or Own Recognizance in Case Number 62-182459 within
22 the meaning of Penal Code section 12022.1(b).
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1 **SPEC ALLEG-OFFENSE WHILE ON BAIL OR O.R.**

2 It is further alleged that at the time of the commission of the
3 above offense, the defendant, DENNIS HENRY LYNCH, was released from
4 custody on bail or Own Recognizance in Case Number 62-184132 within
5 the meaning of Penal Code section 12022.1(b).
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7
8 **COUNT TWO**

9
10 On or about March 28, 2022, in the County of Placer, the crime
11 of MURDER, in violation of Penal Code section 187(a), a Felony, was
12 committed by DENNIS HENRY LYNCH, who did unlawfully, and with malice
13 aforethought murder GERALD UPHOLT, a human being.
14

15 It is further alleged that the above offense is a
16 serious felony within the meaning of Penal Code section
17 1192.7(c)(1).
18

19 It is further alleged that the above offense is a
20 violent felony within the meaning of Penal Code section 667.5(c)(1).
21

22 **SPEC ALLEG-USE OF DEADLY WEAPON**

23 It is further alleged that in the commission and attempted
24 commission of the above offense, the said defendant, DENNIS HENRY
25 LYNCH personally used a deadly and dangerous weapon(s), said use not
26 being an element of the above offense, within the meaning of Penal
27 Code section 12022(b)(1) and causing the above offense to be a
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1 serious felony within the meaning of Penal Code section
2 1192.7(c) (23).

3
4 **SPEC ALLEG-OFFENSE WHILE ON BAIL OR O.R.**

5 It is further alleged that at the time of the commission of the
6 above offense, the defendant, DENNIS HENRY LYNCH, was released from
7 custody on bail or Own Recognizance in Case Number 62-182549 within
8 the meaning of Penal Code section 12022.1(b).
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11 **SPEC ALLEG-OFFENSE WHILE ON BAIL OR O.R.**

12 It is further alleged that at the time of the commission of the
13 above offense, the defendant, DENNIS HENRY LYNCH, was released from
14 custody on bail or Own Recognizance in Case Number 62-184132 within
15 the meaning of Penal Code section 12022.1(b).
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19 **SPEC ALLEG-MULTIPLE MURDER**

20 It is further alleged as to Counts One and Two that the
21 offenses charged in counts One and Two are a special circumstance
22 within the meaning of Penal Code section 190.2(a) (3).
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25 **COUNT THREE**

26 On or about March 28, 2022, in the County of Placer, the crime
27 of RESIST, OBSTRUCT, DELAY OF PEACE OFFICER OR EMT, in violation of
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1 Penal Code section 148(a)(1), a Misdemeanor, was committed by DENNIS
2 HENRY LYNCH, who did willfully and unlawfully resist, delay and
3 obstruct Sgt. Machado, peace officer, public officer, and EMT
4 attempting to and discharging the duty of their office and
5 employment.
6

7 **COUNT FOUR**
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9 On or about March 28, 2022, in the County of Placer, the crime
10 of BRANDISHING A REPLICA GUN, in violation of PENAL CODE SECTION
11 417.4, a Misdemeanor, was committed by DENNIS HENRY LYNCH, who did
12 unlawfully draw and exhibit a replica of a firearm in a threatening
13 manner against Sgt. Machado in such a way as to cause a reasonable
14 person apprehension and fear of bodily harm.
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18 I declare under penalty of perjury that the foregoing is true
19 and correct. Executed on March 29, 2022, at Roseville, Placer
20 County, California.
21

22 Dated: March 29, 2022

23 Respectfully submitted,

24 Morgan B. Gire
25 District Attorney

26 BY: Tracy Pecoraro
27 TRACY PECORARO,
28 DEPUTY DISTRICT ATTORNEY

1 NOTICE.

2 PLEASE TAKE NOTICE THAT COUNSEL FOR THE PEOPLE HEREBY MAKE
3 AN INFORMAL DEMAND FOR DISCOVERY (PURSUANT TO PENAL CODE
4 SECTION 1054.3) WITHIN FIFTEEN DAYS.
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