

District Court, City and County of Denver, Colorado Lindsey-Flanigan Courthouse, Room 135 520 W. Colfax Ave. Denver, CO 80204	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<hr/> Plaintiff: The People of the State of Colorado Defendant: LELAND K PANKEY (DOB 06/29/1979)	
<hr/> Joseph M. Morales, Reg. No. 24706 Chief Deputy District Attorney For: Beth McCann, Reg. No. 5834 District Attorney 201 W. Colfax Ave. Dept. 801 Denver, CO 80202 Phone Number: 720-913-9000 Fax Number: 720-913-9035	Case Number: 19CR20011 Div: Criminal Ctrm 5C
MOTION TO AMEND COUNTS TWO AND THREE AND DISMISS COUNT ONE	

Beth McCann, District Attorney, in and for the Second Judicial District, City and County of Denver, State of Colorado, by and through the undersigned Chief Deputy District Attorney, respectfully moves this Honorable Court to amend the above numbered Information as follows: **AMEND COUNTS TWO AND THREE AND DISMISS COUNT ONE.**

AMENDED COUNT TWO: Beth McCann, District Attorney in the name and by the authority of the People of the State of Colorado, further informs the Court that between and including approximately May 20, 2018 and August 1, 2018, LELAND K PANKEY unlawfully, feloniously, knowingly, or recklessly caused an injury to, or permitted to be unreasonably placed in a situation that posed a threat of injury to, the life or health of a child, namely: CADEN MCWILLIAMS, [and engaged in a continued pattern of conduct that resulted in malnourishment, lack of proper medical care, cruel punishment, mistreatment, or an accumulation of injuries,] that resulted in the death of the child; in violation of section 18-6-401(1)(a),(7)(a)(I), C.R.S.

CHILD ABUSE RESULTING IN DEATH, 18-6-401(1)(A),(7)(A)(I), C.R.S. (F2) {17019}

AMENDED COUNT THREE: Beth McCann, District Attorney in the name and by the authority of the People of the State of Colorado, further informs the Court that between and including approximately July 1, 2018 and December 24, 2018, LELAND K PANKEY, 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.

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

DISMISSED COUNT ONE

COUNT ONE: MURDER IN THE FIRST DEGREE, 18-3-102(1)(F), C.R.S. (F1) {01018}

DEFENDANT PLEADED GUILTY TO COUNTS TWO AND THREE

COUNT TWO: CHILD ABUSE RESULTING IN DEATH, 18-6-401(1)(A),(7)(A)(I), C.R.S. (F2) {17019}

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

AS GROUNDS THEREFORE the People state that a Information may be amended as to substance at any time prior to trial under Crim.P.7(e).

WHEREFORE, the People respectfully move this Honorable Court to amend the above numbered Complaint and Information as follows: to **AMEND COUNTS TWO AND THREE AND DISMISS COUNT ONE.**

Dated: _____, 2020

Respectfully submitted,

Beth McCann
District Attorney

by: _____
Joseph M. Morales, Reg. No. 24706
Chief Deputy District Attorney

CERTIFICATE OF SERVICE

I certify that on the _____ day of **January, 2020, I**

- E-served through CCE,
- placed in the United States mail, postage prepaid and properly sealed and addressed,
- sent with an authorized agent,
- sent by facsimile, with original mailed,
- hand delivered

a true and complete copy of the foregoing **MOTION TO AMEND COUNTS TWO AND THREE, MOTION TO DISMISS COUNT ONE** to:

Victoria A Eidsmo
Pd - Public Defender
1560 Broadway Ste 300
Denver, CO 80202

By: _____
Joseph M. Morales
Chief Deputy District Attorney
(720) 913-9163
jxm@denverda.org