

Probable Cause Statement

I, Detective Kevin Mountain #243 with O'Fallon Missouri Police Department, a law enforcement agency, state that the facts contained herein are true to my best knowledge and belief and that any false statements made are punishable by law.

1. On 08/16/16, at 1260 Little Brave Drive, in St. Charles County, MO, Pamela M. Hupp did: knowingly cause the death of Louis R. Gumpenberger after deliberation upon the matter by shooting him multiple times with a revolver.

Hupp called 911 at approximately 1208 hours to report someone actively breaking into her house. While on the phone with dispatch, Hupp told the dispatcher she had a male intruder in her house and that she had shot him. Medical personnel later pronounced the subject deceased inside the residence.

The first responding officer spoke to Hupp briefly about what occurred. Hupp repeatedly told the officer that she did not know the subject she shot. Hupp also repeatedly told the officer that the subject told Hupp multiple times that he wanted them to "go to the bank to get Russ's money". Hupp also repeated she did not know any Russ and she did not know what the subject was talking about.

Hupp told officers and medics she was not injured during the incident. Hupp was checked out and cleared on scene by medics in an ambulance.

A voluntary interview of Hupp was conducted at the police station. During that interview, Hupp again admitted to shooting the male subject who was found deceased inside of her residence. She said she did not know the subject. Hupp said that morning she drove around the St. Charles County area looking for various thrift shops. She provided a general route of travel and various locations she drove by which included, but was not limited to, her daughter's house in St. Charles City. After seeing that her daughter was not home, she went back to her house at 1260 Little Brave Drive to let her dog out.

To summarize her overall account of the shooting incident, Hupp said a silver 4-door sedan quickly pulled up on the street and stopped directly behind her driveway. At that time a male subject got out of the passenger side of the silver vehicle, ran up to the passenger side of her vehicle and entered her vehicle's cabin through the front passenger door. The silver 4-door vehicle quickly left the area. Meanwhile, the male subject put a knife to her throat and kept telling her that she was going to take him to the bank and also take him to the bank to get "Russ's money". She said the subject kept looking back over his shoulder while yelling at her. At some point while he was looking over his shoulder, she struck his arm with her arm knocking the knife out of his hand. Hupp then exited her vehicle and ran inside of her house through the garage door. The subject pursued her into the garage while yelling, among other things, that he was going to kill her. While trying to keep him from entering her home, she tried calling 911 several times. Hupp stated the first two calls failed to go through, but the third call connected. Hupp said when she

realized she was going to be unable to keep the subject out of the house, she ran into the master bedroom, got her revolver from her nightstand, and shot him while advancing on him when her bedroom door opened. The subject was not armed with a weapon when he was shot by Hupp. She said she shot him until the gun stopped firing, remembering that she heard the gun "click" multiple times.

During the interview, Hupp consented in writing to a search of her residence, vehicle, and cell phone. Hupp also voluntarily provided a DNA buccal swab.

A search warrant was obtained for Hupp's residence and vehicle. Members of the St. Charles County Police Crime Scene Investigation Unit, along with Detectives from the O'Fallon Police Department, examined and processed the scene upon execution of the search warrant in conjunction with her written consent to search.

The deceased male subject was positively identified by his fingerprints as Louis R. Gumpenberger. Gumpenberger did not have a wallet or cell phone on him. Only a handwritten note and \$900.00 in U.S. currency that was double bagged in Ziploc bags were located in Gumpenberger's pockets. Research on Gumpenberger revealed he suffered a traumatic brain injury after a vehicle accident in 2005. As a result of his traumatic brain injury, Gumpenberger had slurred speech and other physical and mental limitations. Gumpenberger did not drive and he did not have a known income.

The handwritten note located in Gumpenberger's pocket appeared to be instructions for Gumpenberger to kidnap Hupp, get "Russ's money" from Hupp at her bank, and kill Hupp in order to collect the rest of \$10,000.00. The note also mentioned the last name "Faria". After originally telling the first responding officer she did not know a "Russ", she acknowledged in a subsequent voluntary interview to knowing Russ Faria. Hupp surmised during the interview that the note was referencing a life insurance payout related to the Russ Faria murder trials.

Extensive canvassing and interviews failed to produce any known links between Gumpenberger and Hupp or Faria.

A female subject was later identified and interviewed who had called 911 on 08/10/16 to report a suspicious circumstance to a St. Charles County area agency. That subject reported that a white female in a dark-colored SUV randomly pulled up to her while she was standing outside of her residence. The woman inside the SUV told her she was from the Dateline television show and tried to recruit her to go with her to do a sound bite for an upcoming Dateline episode regarding 911 calls. She was told she would be given a script and the female promised her \$1,000.00 cash both up front and after the completion of the sound bite. The female subject initially agreed to go with the female in the SUV, but demanded to be taken back home very shortly thereafter when the female posing as the Dateline reporter would not produce credentials and her story did not appear credible. The female subject captured the incident on surveillance cameras she had affixed to her home. A review of the video showed the vehicle was a dark colored GMC Acadia with a Missouri license plate of 9HW-864. That vehicle and license plate is a match to Hupp's

2016 slate gray GMC Acadia and registered license plate. The female subject later picked Hupp out of a photo array, positively identifying her as the person posing as the Dateline reporter who lured her into her vehicle.

Extensive interviews of people who knew Gumpenberger said his mother drove him to his doctors' appointments and he walked everywhere else. During Hupp's voluntary interview, she described driving by her daughter's residence on the morning of 08/16/16. Hupp's daughter lives approximately two miles from the apartment where Gumpenberger lived.

Investigation revealed Hupp had her cell phone with her while she was driving around during the morning hours of 08/16/16. A search warrant was served on Google who provided historical location data related to her specific device. One latitude and longitude location resolved to Gumpenberger's apartment complex, Cedar Brook between 11:25:55 hours to 11:29:55 hours on 08/16/16.

On 08/23/16 Hupp was arrested and interviewed in reference to this case. During the custodial interview of Hupp, she declined to make a statement and invoked her right to an attorney. She asked to go to the restroom and, while in the restroom, she made an attempt to take her own life.

3. I have reasonable grounds to believe that the defendant will not appear upon the summons or is a danger to the crime victim, the community or any other person because: During the interview of Hupp, she admitted to shooting the victim and she advised she still had \$150,000.00 from a life insurance payout. The witness described above is in extreme fear for her safety.

Date: 08/23/16

D. A. Klein Mountain #243

Signature

This is an approved form by the St. Charles County Prosecuting Attorney.

REVISED 04/03

COMPLAINT

STATE OF MISSOURI) August 23, 2016
) ss. WARRANT
 COUNTY OF ST. CHARLES) ORI: O'Fallon Police Department
 OCA: 16-7262
 OCN:

IN THE ELEVENTH JUDICIAL CIRCUIT, STATE OF MISSOURI
ASSOCIATE JUDGE DIVISION

STATE OF MISSOURI)
)
 vs.)
)
 PAMELA MARIE HUPP)
 1260 Little Brave Drive)
 O'Fallon, MO 63366)
) PA FILE NO. 183225035
)
 SSN: XXX-XX-7008)
 DOB: 10/10/1958)
 SEX: Female)
 RACE: White Non-Latino/Caucasian)
 HEIGHT: 5'06)
 WEIGHT: 150 LBS)
 Incarcerated: O'Fallon
 X: 001 All States

COUNT 1 Murder 1st Degree (MO Charge Code 565.020-001Y19840903.)

COUNT 2 Armed Criminal Action (MO Charge Code 571.015-001Y19755299.)

COUNT 1

The Prosecuting Attorney of the County of St. Charles, State of Missouri, charges that the defendant, in violation of Section 565.020, RSMo, committed the class A felony of murder in the first degree punishable upon conviction under Section 565.020, RSMo, in that on or about August 16, 2016, in the County of St. Charles, State of Missouri, the defendant after deliberation, knowingly caused the death of Louis Gumpenberger by shooting him.

COUNT 2

The Prosecuting Attorney of the County of St. Charles, State of Missouri, charges that the defendant, in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about August

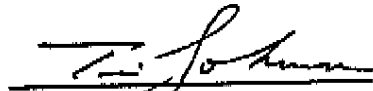
16, 2016, in the county of St. Charles, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count One, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, made a part hereof and submitted as a basis upon which this court may find the existence of probable cause.

Wherefore, the Prosecuting Attorney prays that a warrant be issued as provided by law.

TIMOTHY A. LOHMAR
PROSECUTING ATTORNEY
ST. CHARLES COUNTY, MISSOURI

BY:



Timothy A. Lohmar
Prosecuting Attorney
Missouri Bar No. 48856

