

DISTRICT COURT, LA PLATA COUNTY STATE OF COLORADO 1060 E 2ND AVE, DURANGO, CO 81301	FILED IN COMBINED COURT LA PLATA COUNTY, COLORADO JUL 28 2017
PEOPLE OF THE STATE OF COLORADO vs. MARK REDWINE, Defendant	DEPUTY CLERK ▲ COURT USE ONLY ▲
Christian Champagne, District Attorney, Reg. #36833 P.O. Drawer 3455, Durango, Colorado, 81302 970-247-8850/970-259-0200 (fax) Matthew Durkin, Special Deputy District Attorney, Reg. #28615 Fred Johnson, Special Deputy District Attorney, Reg. #42479	Case No: 17CR343 Division:
LA PLATA COUNTY, COLORADO GRAND JURY INDICTMENT	

COUNT	1	MURDER IN THE SECOND DEGREE	F2
COUNT	2	CHILD ABUSE – KNOWINGLY OR RECKLESSLY - RESULTING IN DEATH	F2

Combined Court, County of La Plata
 State of Colorado
 District
 Certifier: I hereby certify a full, true and correct
 copy of the original in my custody.
 Date: **JUL 28 2017**
 Clerk: *[Signature]*
 Deputy: *[Signature]*

SEAL

Of the term of the District Court in the year 2017, the La Plata County, Colorado Grand Jurors, chosen, selected, and sworn in and for the La Plata County, Colorado in the name of and by the authority of the People of the State of Colorado, upon their oaths, present the following described acts, all committed or triable in the Sixth Judicial District, Colorado and all done contrary to the form of the statutes in such case made and provided, and against the peace and dignity of the People of the State of Colorado, as stated in the counts attached hereto:

COUNT 1- MURDER IN THE SECOND DEGREE (F2)

That on or between November 18, 2012 and November 19, 2012 in, or triable in, the County of La Plata, State of Colorado, Mark Redwine unlawfully, feloniously, and knowingly caused the death of Dylan Redwine; in violation of section 18-3-103(1), C.R.S.

COUNT 2- CHILD ABUSE – KNOWING OR RECKLESS – RESULTING IN DEATH (F2)

That on or between November 18, 2012 and November 19, 2012 in, or triable in, the County of La Plata, State of Colorado, Mark Redwine 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: Dylan Redwine, that resulted in the death of the child; in violation of section 18-6-401(1)(a),(7)(a)(I), C.R.S.

Probable cause as to counts 1 and 2 is as follows:

Dylan Redwine was last seen alive on November 18, 2012, when he arrived by airplane on a court ordered visit to see his father, Mark Redwine. He was 13 years old. He was uninjured when he boarded the airplane. After his arrival, they stopped at Walmart, McDonalds, and then returned alone to Mark Redwine's house, 2343 CR 500, Bayfield, La Plata County, Colorado. Surveillance video from the airport and Walmart show little to no personal interaction between Mark Redwine and his 13 year old Dylan. Dylan Redwine was never seen or heard from again after that evening.

Mark Redwine and Dylan Redwine had argued and fought on their previous visit, they had not been getting along leading up to the court ordered visit, and several witnesses stated that Dylan Redwine did not want to visit Mark Redwine. Text messages indicated Dylan Redwine had asked to stay with a friend rather than his father the same night of his arrival, a request that was denied by Mark Redwine. Dylan Redwine made specific plans to visit a friend's house the next morning at 6:30 a.m. Dylan Redwine's last phone activity or communication with anyone was at 9:37 p.m on November 18, 2012.

At 2:00 a.m., November 19, 2012, Mark Redwine's neighbor Carrie Cochran observed his exterior front porch light on, and later that morning when it was still dark out, she observed the light off. When Dylan did not arrive at his friend's house, his friend sent a text to Dylan at 6:46 a.m. asking "where are you" and received no response.

Dylan Redwine's blood was found in multiple locations of Mark Redwine's living room, including on the couch, the floor in front of the couch, the corner of coffee table, on the floor beneath a rug, and a love seat. DNA testing showed that Dylan Redwine was the source of the blood on love seat, and could not be eliminated as a contributor to the mixture found in the blood found on the couch, floor in front of the couch, the corner of the coffee table, and the blood found beneath the rug. The home had been severely damaged by a fire, and a remodel of the home was completed earlier in March 2012. According to Mark Redwine, Dylan Redwine had limited visitations after the home remodel and had not suffered an injury that caused any bleeding during those visits after the home had been remodeled and before November 2012.

On August 5, 2013, Human Remains Detection Dog Handler Carren Corcoran and her K9 Molly conducted a canine search of Mark Redwine's house to determine if the corpse of a deceased human had been present at that location. K9 Molly indicated the presence of cadaver scent in various locations in the home, including the living room and the washing machine. These are indications of the presence of a large source of human remains. Also, in August 2013, Ms. Corcoran and her K9 Molly, searched and indicated a cadaver scent on Mr. Redwine's clothes that he reported wearing on the night of November 18 – 19, 2012. Later on February 13, 2014, Ms. Corcoran and her K9 Molly conducted a search of Mr. Redwine's Dodge pick-up truck, and alerted to the presence of human cadaver scent in several locations including the bed of the truck.

In June 2013, some of Dylan Redwine's remains were located about 8 miles up Middle Mountain Road from Mark's house, roughly 1 mile past the gate which closes seasonally around November 30 every year, and only 100 yards or so from the road directly off of an ATV trail. Mark Redwine had an ATV in his garage and was very familiar with Middle Mountain Road. A witness observed Mr. Redwine driving down from the gate alone in April of 2013, yet he left town and did not attend the search for Dylan Redwine in June of 2013 when the gate opened.

On November 1, 2015, hikers further up on Middle Mountain road found Dylan Redwine's skull. On foot the location was roughly 1.5 miles away from the first recovery site through very difficult terrain, but it was much more easily accessible by Middle Mountain Road, consistent with a human moving it. According to Lyle Wilmarth, a Wildlife Officer with the Colorado Parks and Wildlife Division, who has extensive experience with wildlife in the area, no animal known to the area would transport a body up the mountain from Mr. Redwine's residence to the first recovery site. Furthermore, no animal known to the area would transport the skull an additional 1.5 miles through the terrain to where the skull was found.

Forensic anthropologists determined that Dylan Redwine's skull had injuries consistent with blunt force trauma at two locations. According to forensic anthropologists, the skull had two small markings consistent with tool marks from a knife, not caused by an animal or natural cause. These defects in Dylan's skull were perimortem, indicating that the bone still had characteristics of wet bone similar to a recently deceased person.

On June 27, 2013, immediately following the notification to Mr. Redwine that Dylan Redwine's first remains had been located, Dylan Redwine's half-brother Brandon Redwine reported an odd

conversation with Mark Redwine. Specifically, Mark Redwine had mentioned blunt force trauma several times and discussed how investigators would have to find the rest of the body, including the skull, before they could determine if this was the cause of death.

Within days of Dylan's disappearance, but months before his remains were located, investigators interviewed Mr. Redwine's ex-wife Betsy Horvath. Ms. Horvath voiced concern that Mark Redwine may have hurt Dylan Redwine. Ms. Horvath reported that Mark Redwine had previously said that if he ever had to get rid of a body he would leave it out in the mountains. Also, during their divorce and custody proceedings, Mr. Redwine repeatedly violated the custody agreement and told Ms. Horvath that he would "kill the kids before he let her have them." Ms. Horvath's sister, Sandy Lainge heard the threat.

At the time of the murder, Mark and Elaine Redwine were in the middle of an intensely contested custody case regarding Dylan Redwine. Mr. Redwine acknowledged that he had left a contempt of court accusation on the kitchen table where Dylan Redwine may have seen it and could have become upset. Throughout 2012, Dylan Redwine expressed that he was upset with Mark Redwine, that he did not want to visit and was uncomfortable with Mark Redwine. Earlier in the year, Dylan Redwine had seen compromising pictures of Mark Redwine. At a time he was upset by the manner in which Mark Redwine was talking about his mother and brother, Dylan Redwine asked his brother Cory Redwine to send the pictures to him so that he could confront Mark Redwine. Later, Cory Redwine told Mark Redwine that he complied with Dylan Redwine's request for the pictures. Very shortly after Dylan Redwine's death was confirmed, two of Elaine Redwine's friends argued with Mr. Redwine in front of his house. When these same pictures were referenced, Mark Redwine immediately reacted violently by picking up a log, raising it over his head in an attack gesture, and approaching them causing them to drive off.

Mark Redwine had 13 year old Dylan Redwine in his custody and was alone with him the last night Dylan was heard from November 18, 2012 at 9:37pm, Dylan Redwine's blood was in the living room, cadaver dogs indicated that a deceased person had been in his living room and bed of his pick-up truck, Dylan Redwine's remains were located in a location accessible and familiar to him, and their relationship was contentious at the time of Dylan Redwine's death. At least one point of contention between them provoked a violent response from Mark Redwine. When Dylan Redwine's skull was finally recovered, the tool marks, fractures, and the two distinct locations of the remains were consistent with tampering with the body, and specifically, relocation and further disposal of the fractured skull to conceal the identity and cause of death by the person last associated with him.

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

AS TO COUNT ONE:

TRUE BILL _____

NO TRUE BILL _____

AS TO COUNT TWO:

TRUE BILL _____

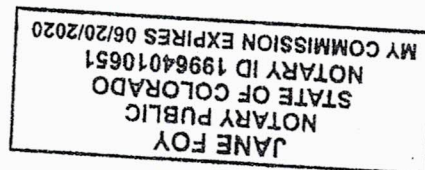
NO TRUE BILL _____

(Leave the section below blank until after you have returned this document)

I, _____, the Foreperson of the 2017 La Plata County, Colorado Grand Jury, in La Plata County, Colorado, do hereby swear and affirm that each and every True Bill returned in this Indictment by the 2017 La Plata County, Colorado Grand Jury was after deliberation and with the assent and agreement to the existence of probable cause by at least nine members of the 2017 La Plata County, Colorado Grand Jury.

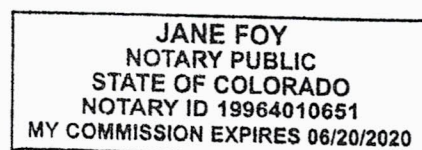
FOREPERSON

Subscribed and sworn to before me in La Plata County, State of Colorado, this 20th Day of July, 2017

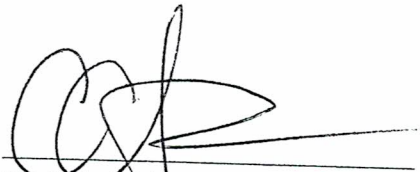


Jane Foy
NOTARY PUBLIC Jane Foy

My commission expires: 6/20/2020



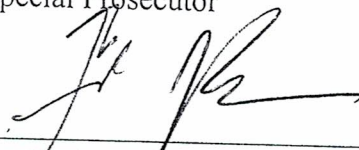
Respectfully submitted and approved for filing this 20th day of July, 2017.



Christian Champagne, #
District Attorney
Sixth Judicial District Attorney's Office



Matthew Durkin, #28615
Chief Deputy District Attorney
Sixth Judicial District Attorney's Office
Special Prosecutor



Fred Johnson, #42479
Deputy District Attorney
Sixth Judicial District Attorney's Office
Special Prosecutor

Court orders this Indictment returned.

ARREST WARRANT TO ISSUE FOR:

Mark Allen Redwine

DOB: 8/24/1961, Age: 55 YRS

Address: 2343 County Road 500, Bayfield, CO 81122-8728

Hgt: 5'11" Wgt: 225 Hair: BLN Eyes: BLU Sex: M Race: W

NCIC:

CCIC:

17CR 343

FILED

CLERK

2017

BOND IS HEREBY SET IN THE FOLLOWING AMOUNT:

~~\$1,000,000~~ ^{of} cash only

CONDITIONS: NO contact with Elaine Hall, Michael Hall, Corey Redwine, GPS, remain in the State of Colorado, surrender

Passport

BY THE COURT:



Chief Judge
Sixth Judicial District
State of Colorado

upon Arrest of the Defendant, Law Enforcement is requested to immediately contact

~~Tonya Goldbricht~~
Goldbricht

or
Jim Ezzell at

7/20/17 JRW