

STATE OF INDIANA )  
 ) SS: IN THE VIGO SUPERIOR COURT 5  
COUNTY OF VIGO ) CAUSE NUMBER 84D05-2604-F4

STATE OF INDIANA

**INFORMATION FOR:**

VS

**COUNT I:**

**ZACHARY ROBERT-PAUL BENEDICT**

**CAUSING DEATH WHEN OPERATING A  
VEHICLE WITH A SCHED. I OR II  
CONTROLLED SUBSTANCE IN THE BLOOD  
A LEVEL 4 FELONY**

**DOB: 6/12/2004**

**SSN: XXX-XX-0191**

**COUNT II:**

**CAUSING CATASTROPHIC INJURY WHEN  
OPERATING A VEHICLE WITH A SCHED. I  
OR II CONTROLLED SUBSTANCE IN THE  
BLOOD  
A LEVEL 4 FELONY**

**COUNT III:**

**RECKLESS HOMICIDE  
A LEVEL 5 FELONY**

**COUNT IV:**

**CAUSING SERIOUS BODILY INJURY WHEN  
OPERATING A VEHICLE WITH A  
SCHEDULE I OR II SUBSTANCE IN BLOOD  
A LEVEL 5 FELONY**

**COUNT V:**

**CRIMINAL RECKLESSNESS  
A LEVEL 6 FELONY**

**COUNT VI:**

**RECKLESS DRIVING  
A CLASS C MISDEMEANOR**

**COUNT 1:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did cause the death of Mary Modesitt when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in his blood, in violation of I.C. 9-30-5-5(a)(2) .

**COUNT 2:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did cause the catastrophic injury of James Modesitt when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in his blood, in violation of I.C. 9-30-5-5(a)(2) .

**COUNT 3:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did recklessly kill another human being, to wit: Mary Modesitt , in violation of I.C. 35-42-1-5 .

**COUNT 4:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did cause the serious bodily injury of Jacob Thornsborough when operating a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in his blood, in violation of I.C. 9-30-5-4(a)(2) .

**COUNT 5:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did recklessly, knowingly, or intentionally perform an act that creates a substantial risk of bodily injury to another person while armed with a deadly weapon, to wit: by operating a motor vehicle at a high rate of speed through an intersection, in violation of I.C. 35-42-2-2(a) and I.C. 35-42-2-2(b)(1)(A).

**COUNT 6:**

The undersigned says that on or about February 5, 2025, in Vigo County, State of Indiana, Zachary Robert-Paul Benedict did operate a vehicle and recklessly drive at such an unreasonably high rate of speed under the circumstances as to endanger the safety or property of others, in violation of I.C. 9-21-8-52(a)(1) .

/s/ Robert E. Roberts

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Robert E. Roberts, #21514-84  
Chief Deputy Prosecuting Attorney

**WITNESSES:**

James E. Modesitt  
Jacob L. Thornsborough  
Alexis Basler  
Dale Blunk  
Jeremiah Carson  
Justin Coyle  
Cameron Diekhoff  
Michael Hatch  
Madelyn Helling  
Alexandra Jerreld  
Kyle Lex  
Macie Minks  
Kevin Moyer  
Adam Munoz  
Brian Niec  
Christian Reed  
Regional Hospital Medical Personnel  
Terre Haute Fire Department Responders  
TransCare Responders  
Kelby Schriver  
Michael Simmons  
Reaghan Simmons  
Union Hospital Personnel  
Daniel Walker  
John G. Yung