

STATE OF WYOMING)
) SS:
COUNTY OF LARAMIE)

THE STATE OF WYOMING

Plaintiff,

vs.

KELLY LYNN GASKINS,
YEAR OF BIRTH: 1982

Defendant.

IN THE CIRCUIT COURT
FIRST JUDICIAL DISTRICT

Criminal Action No. CR 2022 - 327

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INFORMATION

COMES NOW, Steven McManamen, Assistant District Attorney, of the County of Laramie and State of Wyoming, First Judicial District, and in the name and by the authority of the State of Wyoming, informs the Court and gives the Court to understand that **KELLY LYNN GASKINS** late of county aforesaid, did unlawfully:

Count I: Vehicular Homicide

1. On or about November 05, 2021;
2. In the County of Laramie and the State of Wyoming;
3. **KELLY LYNN GASKINS;**
4. did unlawfully operate or drive a motor vehicle in a criminally negligent manner, and his/her conduct is the proximate cause of the death of another person, to wit: did unlawfully operate or drive a motor vehicle in a criminally negligent manner, and her conduct is the proximate cause of the death of M.E. (2008), another person, in violation of W.S.6-2-106(a), 2020 Lexis, the same being a Misdemeanor, contrary to the form of the statute in such case made and provided, and

against the peace and dignity of the State of Wyoming. (SEE AFFIDAVIT OF PROBABLE CAUSE);

Penalties: 0 - 1 year and/or \$0-\$2,000 Fine

Probable Cause for this Information is based upon the Affidavit of Probable Cause of Jeff P39 Cover of the Cheyenne Police Department.

DATED this 4th day of March, 2022.



Steven McManamen, #7-5347
Assistant District Attorney
310 West 19th Street, Suite 200
Cheyenne, WY 82001
(307) 633-4360

STATE OF WYOMING)
COUNTY OF LARAMIE)^{ss}

I, Steven McManamen, Assistant District Attorney of the County of Laramie, State of Wyoming, First Judicial District do solemnly swear that I have read the above and foregoing information by me subscribed, that I know the contents thereof, and that I have been reliably informed and verily believe the facts therein stated to be true. So help me God.



Steven McManamen

Sworn to before me and signed in my presence the 4 day of March, 2022 and I do hereby so certify.



Warburton
NOTARY PUBLIC

STATE OF WYOMING)
) SS:
COUNTY OF LARAMIE)

CIRCUIT COURT
FIRST JUDICIAL DISTRICT
Criminal Action No. 20 ____-____
CPD Case # 21-59522

THE STATE OF WYOMING)
Plaintiff,)

vs.)

Gaskins, Kelly Lynn (YOB - 1982))

Defendant.)
)

IN THE DISTRICT COURT

FIRST JUDICIAL DISTRICT

AFFIDAVIT OF PROBABLE CAUSE

COMES NOW, Officer J. Cover, and being first duly sworn on oath, deposes and states as follows:

1. I am a duly authorized Peace Officer in the State of Wyoming as defined by W.S. § 7-2-101(a)(iv) and acted at all times described herein in my official capacity as a member of the Cheyenne Police Department.
2. Unless otherwise indicated, all events described herein occurred in Laramie County, Wyoming.

On the 5th day of November, 2021, at 0703 hrs, Officers responded to the area of Western Hills Blvd and Moccasin Ave in reference to a serious injury traffic collision involving a pedestrian and vehicle. The suspect, Kelly Lynn Gaskins (YOB-1982), was identified as the driver of the 2005 Ford Escape (Lic. #2-3737A/ Wy). She was located by responding officers seated in the driver's seat of the Ford Escape and stated she was the driver. Gaskins said that she did not see the victim, M.E. (YOB-2008) in the crosswalk prior to hitting him. She said it was dark and she was looking at and talking to her passenger in the right front passenger seat, at the time of the collision. The victim, M.E., was located lying unresponsive in the eastbound lane of Western Hills Blvd, receiving medical treatment from Cheyenne Fire personnel.

5. The victim, M.E., was legally crossing Western Hills Blvd southbound in a marked, lighted crosswalk. The crosswalk is painted in white reflective paint and there are posted signs for both eastbound and westbound Western Hills Blvd traffic alerting drivers to the presence of the crosswalk. In addition to the lighting and properly marked crosswalk, three vehicles on westbound Western Hills Blvd were stopped and waiting for the victim, M.E., to cross the street. Gaskins' front passenger, F.Y. YOB-(2006) saw M.E. in the crosswalk and yelled at Gaskins that there was a kid in the crosswalk.

6. Dashcam footage obtained from a witness at the scene captured the collision in its entirety. Gaskins never slowed down or attempted to evade the collision with M.E. The footage shows that the crosswalk was well lit and westbound traffic was clearly stopped for the victim, M.E., who was legally in the marked crosswalk. Multiple witnesses confirmed that Gaskins never slowed down or appeared to be aware of the presence of M.E. in the crosswalk. M.E. did not appear to react to the approaching vehicle. M.E. appeared to be looking at a phone at the time of the collision. The injuries sustained by the M.E. due to the collision were not survivable.

7. Based on the evidence located at the scene, the statements provided by the witnesses and the dashcam footage, I believe Gaskins is at fault for this traffic collision due to the fact that she was operating her vehicle while distracted, in an area she knows to be a school zone, on a school day, because she drives that route daily to drop her children off at school. The crosswalk was properly marked and lighted and three vehicles were stopped in the westbound lane of Western Hills Blvd for the victim, M.E., who was in the crosswalk legally, with the right of way.

1. 9. On 12/14/2021 I was notified that the blood results for Gaskins had been returned. The report indicated that Gaskins had benzodiazepines in her system. Gaskins told officers on the day of the collision that she takes this medication daily. The toxicology report showed she had no other substances in her system.

FURTHER YOUR affiant sayeth naught.

DATED THIS 3rd day of March, 2022.

HP39
Affiant

Subscribed and sworn to before me this 3rd day of March, 2022, by Jeffrey Cover P39

Lynn Sherman
Notary Public

My Commission Expires: 09/29/2024

