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**IN THE THIRD JUDICIAL DISTRICT COURT
SUMMIT COUNTY, STATE OF UTAH**

THE STATE OF UTAH,

Plaintiff

vs.

KOURI DARDEN RICHINS,
D.O.B. April 20, 1990

Defendant

FIRST AMENDED INFORMATION

OTN No.

Case No. 231500139

Judge Richard Mrazik

SCSO Case No. 22-L06363

The undersigned prosecutor states on information and belief that the defendant, either directly or as a party, committed the crime(s) of:

1. CRIMINAL HOMICIDE, AGGRAVATED MURDER (DV), in violation of Utah Code 76-5-202(2)(vii) and (xvi), a first degree felony, as follows, to wit:

That on or about March 3, 2022, in Summit County, State of Utah, the defendant, (a) did intentionally or knowingly cause the death of another individual under any of the following circumstances: (vii) the actor committed homicide for pecuniary gain; and/or (xvi) the actor committed homicide by means of the administration of a poison or of any lethal substance or of any substance administered in a lethal amount, dosage, or quantity. Furthermore, the defendant was a cohabitant with the victim.

2. POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DISTRIBUTE, in violation of Utah Code 58-37-8(1)(a)(iii), a second degree felony, as follows, to wit:

That on or about January, 2022, in Summit County, State of Utah, the defendant, did knowingly and intentionally possess, with intent to distribute, a controlled or counterfeit substance that was (a) classified in Schedule I or II; (b) a controlled substance analog; or (c) gammahydroxybutyric acid as listed in Schedule III.

3. POSSESSION OF A CONTROLLED SUBSTANCE WITH INTENT TO DISTRIBUTE, in violation of Utah Code 58-37-8(1)(a)(iii), a second degree felony, as follows, to wit:

That on or about February 11, 2022, in Summit County, State of Utah, the defendant, did knowingly and intentionally possess, with intent to distribute, a controlled or counterfeit substance that was (a) classified in Schedule I or II; (b) a controlled substance analog; or (c) gammahydroxybutyric acid as listed in Schedule III.

4. POSSESSION OR USE OF CONTROLLED SUBSTANCE, in violation of Utah Code 58-37-8(2)(b)(ii), a class A misdemeanor, as follows, to wit:

That on or about March 9, 2022, in Summit County, State of Utah, the defendant, did knowingly and intentionally possess or use a substance classified in Schedule I or II, or a controlled substance analog.

This Information is supported by a Statement of Probable Cause as follows:

On March 4, 2022 at 3:31 a.m., Summit County Sheriff's Deputies and EMS staff responded to Eric Richins home on the report of an unresponsive male. When they arrived, they found Eric Richins on the floor at the foot of his bed. Life saving measures were attempted, but Eric was declared deceased.

Eric Richins and his wife, Defendant, KOURI RICHINS, had a Premarital Agreement u/a/d June 15, 2013 establishing that each did not have rights to one another's "present or future income, property or assets" except if Eric Richins died while the two were lawfully married, Eric Richins' partnership interest in his business would transfer to the Defendant. Among Eric Richins' premarital property is his Kamas home located at 282 Willow Court in Summit County ("the Kamas home").

In September, 2020, Eric Richins discovered that the Defendant had obtained and spent a \$250,000 home equity line of credit on the Kamas home, withdrawn at least \$100,000 from his bank accounts, and spent in excess of \$30,000 on his credit cards. The Defendant had also been appropriating distributions made from Eric Richins' business for the purpose of making federal and state quarterly tax payments and not paying the taxes. The stolen tax payments totaled at least \$134,346. Eric Richins confronted the Defendant and she agreed to repay him.

In October, 2020, Eric Richins consulted both a divorce lawyer and an estate planning lawyer. Unknown to the Defendant, Eric Richins proceeded to change his will, formed the Eric Richins Living Trust u/a/d November 3, 2020 ("the Trust") and placed his estate under the control of his sister Katie Richins-Benson for the primary benefit of his three minor children. Eric Richins transferred his partnership interest in his business to his Trust and designated the Trust as the beneficiary of his \$500,000 life insurance policy instead of the Defendant.

Unknown to Eric Richins, between 2015 and 2017, the Defendant purchased at least four (4) life insurance policies on Eric Richins' life with aggregate death benefits of \$1,947,000. These policies had been purchased prior to the date that Eric Richins formed the Trust. Eric Richins did not disclose these to his estate planning attorney in October, 2020 because he did not know about them.

Eric Richins and his business partner each had life insurance policies with the other as beneficiary. On January 1, 2022, the Defendant surreptitiously and without authorization changed the beneficiary for Eric Richins' \$2 million life insurance policy to herself. This came to the attention of New York Life and Eric Richins and the business partner was restored as beneficiary.

In late January, 2022, the Defendant caused an application to be filed for a new \$100,000 life insurance policy on Eric Richins' life. This policy issued on February 4, 2022, one month prior to Eric Richins' death. One week later, on February 11 or 12, 2022, the Defendant obtained illicit fentanyl from an acquaintance, C.L.

C.L. stated that sometime in early 2022, before Eric Richins' death, the Defendant either called or texted C.L. to ask that she procure some fentanyl for the Defendant. The Defendant's phone records establish that the Defendant called and texted C.L. several times in January 2022. The content of the text messages is unknown because it appears that the Defendant deleted data from her phone from January 2, 2022, until shortly after Eric Richins' death.

C.L. stated that, pursuant to the Defendant's request for fentanyl, she contacted an acquaintance, Acquaintance 1, for an introduction to someone that would sell her fentanyl. Acquaintance 1 confirmed that C.L. asked her for an introduction to someone that would sell C.L. fentanyl. Acquaintance 1 elaborated that C.L. messaged her through Facebook asking to speak and that she called C.L. shortly thereafter. A Facebook message from C.L. to Acquaintance 1 on February 5, 2022, at 1:37 PM asks, "text me I've got a question won't do it on this."

In response to C.L.'s inquiry, Acquaintance 1 provided C.L. with the phone number of a drug dealer named Acquaintance 2. C.L.'s phone includes a contact containing Acquaintance 2's phone number. The contact is labeled in a way that connects Acquaintance 1 and Acquaintance 2.

C.L. stated that she contacted Acquaintance 2 shortly after receiving his contact information from Acquaintance 1 and asked to purchase some fentanyl. C.L.'s phone records establish that she texted Acquaintance 2 on February 10, 2022, at 8:52 PM. arranging to meet Acquaintance 2 to purchase fentanyl.

C.L. stated she met Acquaintance 2 at the Maverick gas station in Draper on February 11, 2022, and purchased from him 15-30 round, light green-blue pills, which she understood to be fentanyl. C.L.'s phone records establish that she called Acquaintance 2 several times on February 11, 2022, between 5:19 PM and 6:52 PM. C.L. stated that these calls were to coordinate the specific timing of the fentanyl purchase. Acquaintance 2 confirmed that he sold fentanyl pills to a friend of Acquaintance 1's on two occasions in early 2022 at the Maverick gas station in Draper.

C.L. stated that she delivered the pills that she purchased from Acquaintance 2 to the Defendant in a hand-to-hand transaction in the driveway of C.L.'s home in Heber City on either February 11, 2022 or February 12, 2022.

Three days later, on February 14, 2022, the Defendant prepared a sandwich for Eric Richins and placed it on the seat of his truck with a love note. Shortly after consuming the sandwich, Eric Richins broke out in hives and had difficulty breathing. Eric found his son's epipen and administered it to himself and slept. Eric Richins believed that he had been poisoned. Eric Richins told a friend that he thought his wife was trying to poison him.

C.L. stated that in late February 2022, the Defendant told her that the fentanyl pills that she previously provided were not strong enough and asked that she procure some stronger fentanyl. C.L. initially stated that the Defendant specifically asked for "some of the Michael Jackson stuff" during this request for fentanyl, but subsequently conceded that the Defendant may have made the Michael Jackson reference during her first request for fentanyl. On February 26, 2022, C.L. sent Acquaintance 1 a Facebook message asking the Acquaintance 1 again to provide her with Acquaintance 2's phone number. Later that same day, C.L. contacts Acquaintance 2 and arranges to purchase additional fentanyl from him as the same Maverick gas station in Draper.

Prior to March 1, 2022: (a) the Defendant's outstanding state and federal tax liability was \$189,840; (b) the Defendant owed a hard money lender at least \$1,847,760; and (c) the Defendant owed Eric Richins at least \$514,346 (see above). On March 3, 2022 the Defendant had a lengthy telephone call with the IRS and talked to her hard money lender.

During interviews with the Defendant, she stated that at around 21:00 hours on March 3, 2022, she and Eric Richins were celebrating the Defendant's closing on a house for her business. Defendant stated that she made Eric a Moscow Mule in the kitchen and brought it to their bedroom where Eric consumed it while sitting in bed. The only people in the house were Defendant, Eric, and their three minor children. Defendant stated she went to bed and shortly after went to sleep with one of the children in the child's bedroom because the child was having a night terror. Defendant said she awoke around 03:00 hours and came back to her and Eric Richins' bedroom. She said that she felt Eric Richins and he was cold to the touch. Defendant said she then called 911. This was at 3:22 a.m. on March 4, 2022. Defendant told law

enforcement that when she left her room to go to her child's room, she left her phone plugged in next to her bed and did not take it to her child's room. However, between when the defendant said she went to child's room and when she called 911, the status on her phone shows that it was locked and unlocked multiple times and there was also movement recorded on the phone. In addition, tolls and phone billing data for Defendant's phone show that messages were sent and received during that time.

On March 6, 2022, the Defendant arranged for a locksmith to drill Eric Richins' safe, which contained between \$125,000 and \$165,000 cash. When Eric Richins' sister suggested that the Defendant did not have the authority to open Eric Richins' safe, because there was a trustee, the Defendant became enraged and punched Eric Richins' sister in the face and neck. Sheriff's deputies responded and called Eric Richins' estate planning lawyer from the scene. Here, the Defendant learned for the first time of the existence of the Eric Richins Living Trust. See State of Utah v. Kouri Richins, Case No. 221200316, Summit County Justice Court.

Phone records show that on March 9, 2022, at 10:24 am C.L. contacted an acquaintance, Acquaintance 3. C.L. stated that on that call, she asked Acquaintance 3 drive her to Draper to purchase fentanyl. C.L. states that Acquaintance 3 drove C.L. to the Defendant's house in Francis where the Defendant wrote C.L. a \$1,300 check for the fentanyl. The Defendant back-dated the check to March 6, 2022. Acquaintance 3 confirmed that he drove C.L. to the Defendant's house to pick-up a check before driving C.L. to the Maverick gas station in Draper.

C.L. stated she met Acquaintance 2 at the Maverick gas station in Draper after stopping at the America First Credit Union, and purchased from him 15-30 round, dark blue pills, which she understood to be fentanyl. C.L.'s phone records establish that she called Acquaintance 2 several times on March 9, 2022, between 2:59 PM and 3:21 PM. C.L. stated that these calls were to coordinate the specific timing of the fentanyl purchase. Acquaintance 2 confirmed that he sold fentanyl pills to a friend of Acquaintance 1's on two occasions in early 2022 at the Maverick gas station in Draper. Acquaintance 2 stated that a white male accompanied C.L. on the second purchase. Acquaintance 3 is a white male.

C.L. stated that on either March 9, 2022 or March 10, 2022, pursuant to the Defendant's instruction, she left the pills that she had purchased for Acquaintance 2 in a firepit in the backyard of a vacant house in Midway that the Defendant owned and was in the process of selling.

Following an autopsy and pursuant to toxicology findings from the autopsy, it was determined in April, 2022 that Eric Richins died from an overdose of fentanyl. The medical examiner ("OME") indicated the level of fentanyl in Eric Richins' system was approximately five times the lethal dosage. The OME stated the fentanyl in Eric Richins' system was illicit fentanyl and not medical grade fentanyl. It is also the opinion of the OME, after evaluating Eric Richins gastric fluid contents, that the fentanyl in Eric Richins' body was ingested orally.

This information is based on evidence obtained from the following witnesses:

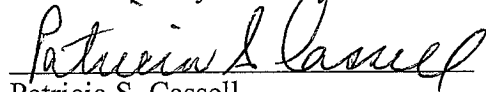
Justin Hemingway

Deputy Jeff O'Driscoll

**[The State reserves the right to supplement its
witness list as additional discovery warrants]**

Authorized for presentment
and filing May 18, 2023.

MARGARET H. OLSON
Summit County Attorney



Patricia S. Cassell
Chief Prosecutor

DEFENDANT'S LAST KNOWN ADDRESS:

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Kamas, UT 84036