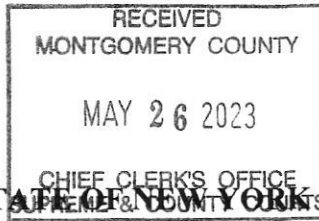


COUNTY COURT  
COUNTY OF MONTGOMERY



**COPY**



ORIGINAL

IND-70182-23/001

SEALED

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THE PEOPLE OF THE STATE OF NEW YORK

INDICTMENT

-against-

NO: 56-23

Counts: 4

Pages: 3

MICHAEL DEAN DARLING (DOB: 2/28/1979),

Defendant.

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COUNT ONE

The Grand Jury of the County of Montgomery, by this Count in this Indictment, accuses the defendant, MICHAEL DEAN DARLING, of the crime of Murder in the Second Degree in violation of § 125.25(1) of the Penal Law of the State of New York committed as follows:

That MICHAEL DEAN DARLING, on or about February 7, 2019, at 45 Fort Johnson Ave., in the Town of Amsterdam, County of Montgomery, State of New York, with intent to cause the death of another person, did cause the death of such person, to wit: on the aforementioned date, and place, the defendant, with the intent to cause the death of Kristine Darling, did cause the death of Kristine Darling by a gunshot wound.

COUNT TWO

And the Grand Jury of the County of Montgomery, by this Count in this Indictment, accuses the defendant, MICHAEL DEAN DARLING, of the crime of Criminal Possession of a Weapon in the Third Degree in violation of § 265.02(1) of the Penal Law of the State of New York committed as follows:

That MICHAEL DEAN DARLING, on or about February 7, 2019, at 45 Fort Johnson Ave., in the Town of Amsterdam, County of Montgomery, State of New York, did commit the crime of Criminal Possession of a Weapon in the Fourth Degree as defined in subdivision one, two, three or five of section 265.01 and has been previously convicted of a crime, to wit: on the aforementioned date and time, the defendant did commit the crime of Criminal Possession of a Weapon in the Fourth Degree as defined in subdivision two of section 265.01

by possessing a rifle, a deadly weapon, with the intent to use it unlawfully against another, and said defendant has been previously convicted of a crime.

### COUNT THREE

And the Grand Jury of the County of Montgomery, by this Count in this Indictment, accuses the defendant, MICHAEL DEAN DARLING, of the crime of Tampering with Physical Evidence in violation of § 215.40(1) of the Penal Law of the State of New York committed as follows:

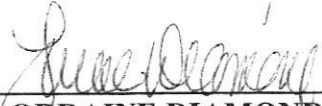
That MICHAEL DEAN DARLING, on or about February 7, 2019, at 45 Fort Johnson Ave., in the Town of Amsterdam, County of Montgomery, State of New York, with intent that it be used or introduced in an official proceeding or a prospective official proceeding, did knowingly make, devise or prepare false physical evidence, to wit: on the aforementioned date and place, the defendant, with intent that it be used or introduced in a prospective official proceeding, did knowingly prepare false physical evidence by staging the crime scene to appear as a suicide attempt.

### COUNT FOUR

And the Grand Jury of the County of Montgomery, by this Count in this Indictment, accuses the defendant, MICHAEL DEAN DARLING, of the crime of Tampering with Physical Evidence in violation of § 215.40(2) of the Penal Law of the State of New York committed as follows:

That MICHAEL DEAN DARLING, on or about February 7, 2019, at 45 Fort Johnson Ave., in the Town of Amsterdam, County of Montgomery, State of New York, believing that certain physical evidence is about to be produced or used in an official proceeding or a prospective official proceeding, and intending to prevent such production or use, did suppress said evidence by any act of concealment, alteration or destruction, or by employing force, intimidation or deception against any person, to wit: on the aforementioned date and place, the defendant, believing that a cell phone is about to be produced or used in a prospective official proceeding, and intending to prevent such production or use, did suppress said physical evidence by an act of concealment.

Dated: May 26, 2023

  
\_\_\_\_\_  
**LORRAINE DIAMOND  
DISTRICT ATTORNEY  
MONTGOMERY COUNTY**

\_\_\_\_\_  
**GRAND JURY FOREPERSON**

STATE OF NEW YORK :  
COUNTY COURT :

COUNTY OF MONTGOMERY

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THE PEOPLE OF THE STATE OF NEW YORK,

-against-

SPECIAL INFORMATION  
RE: SEALED INDICTMENT  
NO: 56-23

MICHAEL DEAN DARLING (DOB: 02/28/1979),

Defendant.

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THE DISTRICT ATTORNEY OF THE COUNTY OF MONTGOMERY, by this Special Information, charges the defendant, MICHAEL DEAN DARLING, with having been previously convicted of the crime of BURGLARY IN THE THIRD DEGREE, in violation of Section 140.20, of the Penal Law of the State of New York, a Class D felony, on the 5th day of May, 2009, before the Fulton County Court, County of Fulton, State of New York.

  
\_\_\_\_\_  
LORRAINE C. DIAMOND  
MONTGOMERY COUNTY DISTRICT ATTORNEY

Signed and dated in the Village of Fonda, Montgomery County, New York this 26<sup>th</sup> day of May, 2023.