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IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

vs.

PATRICK MICHAEL MCCABE,

Defendant.

Screened by: HOMICIDE UNIT
Assigned to: MATTHEW B. JANZEN and
DONNA KELLY

INFORMATION

DA Case No. 17005184

BAIL: \$2,000,007.00

Warrant/Release: GILCHRIST COUNTY
JAIL (FLORIDA)

Case No.

The undersigned Detective C. Parks with the Salt Lake City Police Department, in reference to agency case no. 1977-97978, upon a written declaration states on information and belief that the defendant, PATRICK MICHAEL MCCABE, committed the crimes of:

COUNT 1

MURDER IN THE FIRST DEGREE, 76-5-202 UCA (1953), a Capital Offense, as follows: That on or about December 03, 1977 through December 05, 1977, at 125 East 1st Avenue, in Salt Lake County, State of Utah, the defendant intentionally or knowingly caused the death of Sharon Schollmeyer under the following circumstance:

The homicide was committed while the actor was engaged in the commission of, or an attempt to commit, or flight after committing or attempting to commit, Aggravated Burglary, Burglary, Rape, or Aggravated Sexual Assault.

COUNT 2

AGGRAVATED BURGLARY, 76-6-203 UCA (1953), First Degree Felony, as follows: That on or about December 03, 1977 through December 05, 1977, at 125 East 1st Avenue, in Salt Lake County, State of Utah, the defendant entered or remained unlawfully in a dwelling or any portion of a dwelling with intent to commit a felony or theft or commit an assault on any person; and attempted, committed, or fled from the burglary and the actor, or another participant in the crime, caused physical injury to any person who was not a participant in the crime; or used or threatened the immediate use of a dangerous or deadly weapon against any person who was not a participant in the crime; or was armed with a deadly weapon or possessed or attempted to use any deadly weapon.

COUNT 3

AGGRAVATED SEXUAL ASSAULT, 76-5-405 UCA (1953), First Degree Felony, as follows: That on or about December 03, 1977 through December 05, 1977, at 125 East 1st Avenue, in Salt Lake County, State of Utah, the defendant, in the course of a rape or attempted rape, the actor caused serious bodily injury to the victim; or the actor compelled submission to the rape by threat of kidnapping, death, or serious bodily injury to be inflicted imminently on any person.

THIS INFORMATION IS BASED ON EVIDENCE OBTAINED FROM THE FOLLOWING WITNESSES:

C. Parks, A. Aguirre, G. Arenaz, J. Ashdown, J. Campbell, K. Chamberland, T. Chopp, K. Davis, H. Gordon, M. Hardin, J. Hill, E. Jeskie, G. Johansen, S. Kadleck, B. Love, K. McMann, B. Mills, E. Montanez, S.M. Moore, H. Mount, L. Passey, D. Passey, M. Passey, F. Passey, C. Schollmeyer, Sharon Schollmeyer, R. Smith, M. Throckmorton, R. Torres, C. Voyles, and L. Werner.

DECLARATION OF PROBABLE CAUSE:

Your Declarant, Detective C. Parks with the Salt Lake City Police Department, based on information in report number 1977-97978, interviews of witnesses, and investigation by law enforcement officers states, as follows:

On Monday, December 5, 1977, police were called to an apartment at 125 East 1st Avenue in Salt Lake County, Utah on a report of a deceased female. The body of 16-year-old Sharon Schollmeyer was located in the bathtub of her apartment. Ms. Schollmeyer was nude with a halter top knotted and used as a gag in her mouth and scarf tied around her head, covering her eyes and nose. There were pieces of rope and nylon stockings in the bathtub and the bathtub was filled with several inches of water. A butcher knife was on the bathmat next to the bathtub.

Ms. Kadleck, Ms. Schollmeyer's mother, reported that she last saw Ms. Schollmeyer on Saturday, December 3, 1977. Ms. Kadleck received a call from Ms. Schollmeyer's employer on Monday, December 5, 1977 stating Ms. Schollmeyer had not reported to work as scheduled. Ms. Kadleck went to Ms. Schollmeyer's apartment. There was no answer at the door and the dead bolt was locked. Ms. Kadleck contacted the apartment manager, PATRICK MICHAEL MCCABE, who opened the door with his key. Ms. Kadleck entered the apartment and found Ms. Schollmeyer's body in the bathtub.

In September 2013, DNA testing was performed on the halter top tied around Ms. Schollmeyer's mouth. The testing yielded a DNA profile. The profile was entered into the Combined DNA Index System (CODIS). In December 2016, the profile was matched to a known sample in CODIS, sample number 1999-07628 for PATRICK MICHAEL MCCABE.

In March 2017, MCCABE, post-*Miranda*, admitted to using his key to enter Ms. Schollmeyer's apartment late at night. MCCABE retrieved a knife from the apartment and entered Ms. Schollmeyer's bedroom where he found Ms. Schollmeyer asleep. MCCABE used the knife to gain Ms. Schollmeyer's compliance while tying her up and raping her. MCCABE then took Ms. Schollmeyer to the bathtub where he strangled her and held her head under water. MCCABE stated he left the state of Utah in February 1978 and, other than one overnight visit, never returned.

On December 6, 1977, Dr. S. Moore with the Utah Medical Examiner's Office completed an autopsy on Sharon Schollmeyer. Dr. Moore identified ligature imprints on Ms. Schollmeyer's left wrist. Dr. Moore determined the cause of death was strangulation and suffocation and the manner of death was homicide.

REQUEST FOR ISSUANCE OF A WARRANT:

The State hereby requests that the Court issue a Warrant of Arrest in this case due to the nature of the offenses and facts as alleged in the probable cause statement. The State hereby requests that the Court issue a Warrant of Arrest with bail in the amount of \$2,000,007.00 in order to:

- 1) To prevent risk of injury to a person or property.
- 2) To protect the public safety and welfare of the community or an individual.
- 3) To secure the appearance of the accused.

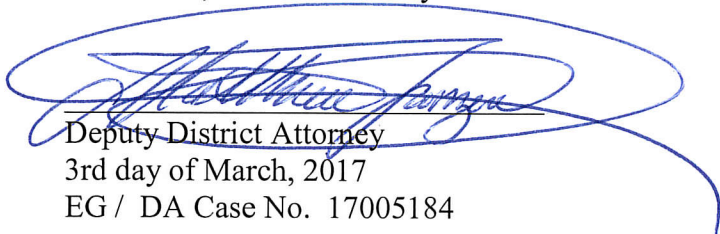
Pursuant to Utah Code Annotated § 78B-5-705 (2008) I declare under criminal penalty of the State of Utah that the foregoing is true and correct to the best of my belief and knowledge.

Executed on: _____

C. Parks
Declarant

Authorized for presentment and filing

SIM GILL, District Attorney


Deputy District Attorney

3rd day of March, 2017

EG / DA Case No. 17005184

OTHER PENDING CASES FOR THE DEFENDANT

Court

Court Case #

Trial Judge

DAO#

Charge

**IN THE THIRD DISTRICT COURT OF THE STATE OF UTAH
IN AND FOR THE COUNTY OF SALT LAKE**

<p>THE STATE OF UTAH, Plaintiff,</p> <p>vs.</p> <p>PATRICK MICHAEL MCCABE, Defendant.</p>	<p style="text-align: center;">WARRANT OF ARREST</p> <p>Case No.</p>
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THE STATE OF UTAH;

To any Peace Officer in the State of Utah, Greetings:

An Information, based upon a written declaration having been declared by Detective C. Parks with the Salt Lake City Police Department in reference to agency case no. 1977-97978, has been filed and it appears from the Information or Declaration filed with the Information, that there is probable cause to believe the public offenses of:

MURDER IN THE FIRST DEGREE, a Capital Offense; AGGRAVATED BURGLARY, First Degree Felony; and AGGRAVATED SEXUAL ASSAULT, First Degree Felony, have been committed, and that PATRICK MICHAEL MCCABE has committed them.

FURTHER, the Court finds, based upon information provided in the Declaration of Probable Cause and the State's Request for Issuance of a Warrant, that a warrant is necessary in this case to:

- prevent risk of injury to a person or property; and/or
- secure the appearance of the accused; and/or
- protect the public safety and welfare of the community or an individual.

YOU ARE THEREFORE COMMANDED to arrest the above named defendant forthwith and bring the defendant before this Court, or before the nearest or most accessible magistrate for setting bail. If the defendant has fled justice, you shall pursue the defendant into any other county of this state and there arrest the defendant. The Court finds reasonable grounds to believe defendant will not appear upon a summons.

Bail is set in the amount of \$2,000,007.00.

This Warrant may be served day or night.