

IN THE MAGISTRATE COURT OF KANAWHA COUNTY, WEST VIRGINIA

State of West Virginia

v.

LESLIE ERIN BOGGS

Defendant

Address: 609 ROSEMONT AVENUE

SOUTH CHARLESTON, WV, 25303

Date of Birth: 10/14/1985

Driver's license # F167046

Case No.: _____

Misdemeanor

Felony

Last four digits of SS# 1753

CRIMINAL COMPLAINT

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about 05/10/2010 in KANAWHA County, West Virginia, in violation of W.Va. Code (*cite specific section, subsection, and/or subdivision on applicable*) §61-8D-4a the defendant did (*state statutory language of offense*) CHILD NEGLECT RESULTING IN DEATH

I further state that this complaint is based on the following facts *SEE ATTACHED*

The defendant is/has:

The victim's spouse or ex-spouse

A parent or guardian of the victim

A child in common with the victim

Living with the victim or had lived with the victim

A person who may be classified as a spouse, parent or guardian to the victim

None of the above connections to the victim

Continued on attached sheet? yes no

Complainant (who appears before magistrate):

A. R. GORDON

Name

Address: 235 4TH AVENUE

SOUTH CHARLESTON, WV 25303

Phone: 304-744-6903

DETECTIVE

Office or title, if any

Complainant signature

On this complaint, sworn or affirmed before me and signed this date by complainant in my presence, the item(s) checked below apply:

Probable cause found

Summons issued

Warrant issued

Warrantless arrest

No probable cause found

Magistrate Signature

Date

Return

Defendant

File

Complainant

Prosecutor

(Criminal Complaint Continued)

STATUTORY LANGUAGE:

§61-8D-4a. Child neglect resulting in death; criminal penalties.

(a) If any parent, guardian or custodian shall neglect a child under his or her care, custody or control and by such neglect cause the death of said child, then such parent, guardian or custodian shall be guilty of a felony and, upon conviction thereof, shall be fined not less than one thousand dollars nor more than five thousand dollars or committed to the custody of the division of corrections for not less than three nor more than fifteen years, or both such fine and imprisonment.

FACTS:

On 05/10/2010 officers were dispatched to 201 Monroe Street, South Charleston, Kanawha County, West Virginia, for an infant in cardiac arrest. When officers arrived on scene the infant was already being transported from the scene by paramedics to Thomas Memorial Hospital. When I arrived at the hospital I was advised by the staff the victim was Raynna Rea Boggs. I was advised that Raynna was deceased. Raynna's mother, the defendant Leslie Erin Boggs, stated that she had left Raynna alone in the room while cleaning after she had fed her and changed her clothing. The defendant advised when she returned to the room Raynna was unresponsive. Deputy Chief Medical Examiner Hamada Mahmoud conducted Raynna's autopsy. The findings of his investigation included remarkable facial and anterior upper torso lividity suggestive of accidental overlay and that the reported death interval was inconsistent with measured body temperature. Both these findings contradicted the defendant's statement. On 01/21/2011 I obtained a statement from the defendant's husband Tomas Myers. Mr. Myers was the defendant's boyfriend on the morning of Raynna's death. Mr. Myers stated that he was at the defendant's apartment the morning of Raynna's death. He stated that the defendant had been drinking and using drugs the previous evening and earlier that morning. He stated when he woke up that morning he observed the defendant passed out on the floor. He stated as he was walking around the defendant's body he observed Raynna's legs sticking out from underneath her. He stated the defendant's leg was over Raynna's body. He stated when he removed the defendant from Raynna he observed that Raynna's face was blue and her head appeared pushed in. He stated he was certain Raynna was deceased. On 02/11/2011 Doctor Mahmoud was advised of Mr. Myers statement. Doctor Mahmoud stated Mr. Myers statement was consistent with the findings of his investigation. This occurred in South Charleston, Kanawha County, West Virginia.

VICTIM – WITNESS NOTICE

KANAWHA COUNTY MAGISTRATE COURT

Magistrate Case Number(s): _____

DETECTIVE A. R. GORDON
OFFICER

CHARGES: CHILD NEGLECT RESULTING IN DEATH

VS.
LESLIE ERIN BOGGS
DEFENDANT

DATE OF OFFENSE: 05/10/2010

YOUR DEPARTMENT'S INCIDENT REPORT NUMBER:
2010-00624

ADVISE VICTIM/WITNESS TO NOTIFY THE PROSECUTOR'S OFFICE OF ANY CHANGES TO THEIR
ADDRESS OR PHONE NUMBER

SUBPEONA'S CANNOT BE SERVED ON A POST OFFICE BOX

VICTIM INFORMATION

NAME: RAYNNA REA BOGGS
ADDRESS: _____

NAME: _____
ADDRESS: _____

PHONE NUMBER: _____

PHONE NUMBER: _____

NAME: _____
ADDRESS: _____

NAME: _____
ADDRESS: _____

PHONE NUMBER: _____

PHONE NUMBER: _____

WITNESS INFORMATION

NAME: DETECTIVE ROE
ADDRESS: 235 4TH AVENUE
SOUTH CHARLESTON, WV, 25303
PHONE NUMBER: 304-744-6903
WILL TESTIFY TO? ASSISTED WITH INV

NAME: DETECTIVE COOK
ADDRESS: 235 4TH AVENUE
SOUTH CHARLESTON, WV, 25303
PHONE NUMBER: 304-744-6903
WILL TESTIFY TO? ASSISTED WITH INV

NAME: DEPUTY CHIEF ME HAMADA MAHMOUD
ADDRESS: 619 VIRGINIA STREET WEST
CHARLESTON, WEST VIRGINIA, 25302
PHONE NUMBER: 304-558-6920
WILL TESTIFY TO? AUTOPSY INVESTIGATION

NAME: _____
ADDRESS: _____
PHONE NUMBER: _____
WILL TESTIFY TO? _____

NAME: _____
ADDRESS: _____
PHONE NUMBER: _____
WILL TESTIFY TO? _____

NAME: _____
ADDRESS: _____
PHONE NUMBER: _____
WILL TESTIFY TO? _____

- Return
- Defendant
- File
- Complainant
- Prosecutor