SCOTT W. STOREY
DISTRICT ATTORNEY
Jefferson and Gilpin Counties

For Immediate Release – February 1, 2005

Contact: Pam Russell
Public Information
303-271-6905

RE: Pair Indicted by Grand Jury for Theft from Elderly Parent

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District Attorney Scott Storey announced today that the First Judicial District Grand Jury returned an indictment last Thursday charging Kelly Anne McGarry, DOB: 2-21-60, and David E. Bohn, Jr., DOB: 7-3-63, with theft of over $15,000 and conspiracy to commit theft. The victim is McGarry's 67-year-old mother.

The grand jury's investigation arose from a complaint that McGarry and Bohl had stolen the home owned by McGarry's mother. McGarry and Bohl are married and now live in the home. The home, which was originally owned jointly by the mother and McGarry, is located on W. Hamilton Drive in Lakewood.

Lakewood Police Department investigators learned that McGarry, acting under her mother's power of attorney, had signed a series of quitclaim deeds which made McGarry and Bohl, and later Bohl, the only owners of the home. McGarry and Bohl then obtained several loans using the home as collateral. Loans against the home, which was owned free and clear by the mother, now total over $300,000.

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McGarry's mother is presently in a nursing home. In April, 2004, McGarry sent her a letter stating that, if her mother ever returned to the home on W. Hamilton Drive, she would have her mother arrested.

During his 2004 campaign, District Attorney Scott Storey pledged to make crimes against the elderly one of the priorities of his administration. "A power of attorney form is not a license to take someone else's property," said Storey. "Persons who exercise control over property belonging to the elderly should be held to a strict standard of conduct."

Arrest warrants have been issued for both McGarry and Bohl. Theft of over $15,000 is a class three felony and carries with it a potential penalty of up to a $750,000 fine and up to 12 years in prison. Conspiracy to commit theft is a class four felony and carries a fine of up to $500,000 and up to six years in prison.

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