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In Custody 9/15/21 9:00 H
C. DAVID EYSTER (SBN #113115) nc
District Attorney
Mendocino County
Fort Bragg Office
700 S. Franklin Street, Room #148
Fort Bragg, CA 95437
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Attorneys for Plaintiffs

FILED

09/14/2021

9/14/2021 4:08:14 PM

KIM TURNER, CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MENDOCINO

Gould, Marissa
DEPUTY CLERK

Marissa Gould

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MENDOCINO**

THE PEOPLE OF THE STATE OF
CALIFORNIA

Plaintiffs,

v.

MARK DAVID SCHWINGHAMMER,

Defendant.

21CR01995

**COMPLAINT-CRIMINAL
FELONY**

**THE UNDERSIGNED, ON INFORMATION AND BELIEF, COMPLAINS AND SAYS,
THAT WITHIN THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA**

COUNT ONE

Said defendant **MARK DAVID SCHWINGHAMMER** did on or about the 12th day of
September 2021, commit the crime of MURDER, a FELONY violation of section 187(a) of the
California Penal Code, in that said defendant did unlawfully, with deliberation and
premeditation, and with malice aforethought murder a human being, to wit, Timothy Sweet.

//

FIRST SPECIAL CIRCUMSTANCE

It is further alleged that said defendant did commit the murder of Timothy Sweet, and said murder was carried out for financial gain, within the meaning of Penal Code section 190.2(a)(1).

SECOND SPECIAL CIRCUMSTANCE

It is further alleged that said defendant did commit the murder of Timothy Sweet by means of lying in wait, within the Penal Code section 190.2(a)(15).


STRIKE ALLEGATION

It is further alleged that said defendant, did prior to the commission of the above offense suffer a conviction for the crime of Aggravated Robbery in the First Degree, a felony violation of section 609.245.1 of the Minnesota Statute, in the Chisago County District Court, State of Minnesota, on or about the 16th day of August, 2006, within the meaning of Penal Code sections 1170.12 and 667.

Complainant therefore prays that said defendant be dealt with according to law.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 14, 2021 in Ukiah, California.



C. DAVID EYSTER
District Attorney

Pursuant to Penal Code Section 1054.3, the prosecuting attorney hereby requests that the defendant and his attorney disclose the following:

“(a) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at the trial, together with any relevant written or recorded statements of those persons, or reports of the statements of those persons, including any reports of

1 statements of experts made in connection with the case, and including the results of physical
2 or mental examinations, scientific tests, experiments, or comparisons which the defendant
3 intends to offer in evidence at the trial.”

4 “(b) Any real evidence which the defendant intends to offer in evidence at the trial.”
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