

DISTRICT ATTORNEY SALT LAKE COUNTY  
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## **PRESS NOTICE**

FOR IMMEDIATE RELEASE

**DATE: 24 October 2007**

**Contact: Nate Bryan (801) 366-7883**

### **Murder Charges Filed in Death of Murray Woman**

SALT LAKE CITY – The Salt Lake County District Attorney's Office has filed charges against James William Tolbert. Mr. Tolbert has been charged with one count of CRIMINAL HOMICIDE, AGGRAVATED MURDER (a first degree felony) and one count of AGGRAVATED ROBBERY (a first degree felony). Mr. Tolbert allegedly strangled Elizabeth Ann Poulson, resulting in Ms. Poulson's death, and that Mr. Tolbert then stole Ms. Poulson's vehicle. More detailed information regarding the charges can be found on the attached information.

Mr. Tolbert is considered dangerous, and his capture is a priority. The District Attorney's Office has placed Mr. Tolbert on its Ten Most Wanted List, and the Murray Police Department is offering a reward for information leading to his capture. If anyone has any information concerning Mr. Tolbert's whereabouts, please contact the Murray Police Department at (801) 840-4000.

The defendant is presumed innocent until proven guilty beyond a reasonable doubt in a court of law.

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

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THE STATE OF UTAH,  
  
Plaintiff,

-vs-

**JAMES WILLIAM TOLBERT**

Defendant.

Screened by: C. Collins  
Assigned to: C. Collins (Tuesday)  
DAO # 07020662

BAIL: \$1,000,000  
Warrant/Release: Non-Jail

**INFORMATION**

Case No.

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The undersigned Detective K. Heaton - Murray City Police Department, Agency Case No. 07C019852, upon a written affidavit states on information and belief that the defendant committed the crimes of:

**COUNT I**

**CRIMINAL HOMICIDE, AGGRAVATED MURDER**, a First Degree Felony, at 820 East 5200 South, in Salt Lake County, State of Utah, on or about October 6, 2007, in violation of Title 76, Chapter 5, Section 202, Utah Code Annotated 1953, as amended, in that the defendant, **JAMES WILLIAM TOLBERT**, a party to the offense, intentionally or knowingly caused the death of Elizabeth Poulson under any of the following circumstances: 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 robbery; and/or the actor had previously been convicted of murder.

COUNT II

AGGRAVATED ROBBERY, a First Degree Felony, at 820 East 5200 South, in Salt Lake County, State of Utah, on or about October 6, 2007, in violation of Title 76, Chapter 6, Section 302, Utah Code Annotated 1953, as amended, in that the defendant, **JAMES WILLIAM TOLBERT**, a party to the offense, unlawfully and intentionally took, or attempted to take, personal property in the possession of another, from the person, or immediate presence, against Elizabeth Poulson's will, by means of force or fear, and in the course of committing said robbery used or threatened the use of a dangerous weapon, and/or caused serious bodily injury to Elizabeth Poulson and/or intentionally and knowingly used force or fear of immediate force against Elizabeth Poulson in the course of committing a theft of an operable motor vehicle.

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

Detective K. Heaton, Officer D. Terry, Officer M. Barlow, Officer K. Johnston, Officer N. Roper, Officer S. Dawson, Officer M. Fernandez, Officer B. Wright, Officer R. Hendricks, Officer E. Cardwell, Officer C. Jarvis, Officer B. Astin, Officer R. Carrillo, Officer M. Spilman, Officer S. Brummer, Officer S. Price, Officer A. Jones, Officer T. Martin, Officer T. McCombe, Officer B. Wilde, Officer A. Pacejka, Officer K. Ellett, Officer K. Vail, Officer S. Miles, Rebekah Hull, Expert T. Vanburen, Diane Ogden, Vicky Hofeius

AFFIDAVIT OF PROBABLE CAUSE:

Your affiant bases this Information upon the following:

1. The written report of Murray City Police Officer D. Terry that on October 9, 2007, he was assigned to "check the welfare" of Elizabeth Ann Poulson at her home, located at 820 East 5200 South, Salt Lake County, Utah. Officer Terry entered the house and observed a female, later identified as Ms. Poulson, lying on the bed. Officer Terry noted that a belt had been wrapped around Ms. Poulson's neck, and she appeared to be dead. In the hallway, Officer Terry found a purse on the floor with its contents spilled out. Later investigation revealed that the keys to Ms. Poulson's car were not in her purse, and her white, four door 2002 Honda Accord was missing from her garage.

\ INFORMATION

DAO No. 07020662

Page 3

2. The statement of Dan Maxwell that he is Ms. Poulson's brother. Mr. Maxwell further stated that defendant James William Tolbert was a friend of Ms. Poulson's, and would visit with Ms. Poulson at her home.

3. The written report of Salt Lake City Police Officer V. Aubrey that on the evening of October 7, 2007, she investigated a complaint of a male having trouble breathing at Sugarhouse Park, located at 1600 East 2100 South, Salt Lake County, Utah. Officer Aubrey located the male, the defendant, who admitted that he had overdosed on heroin.

4. The written report of Salt Lake City Police Officer A. Capps that during the early morning hours of October 8, 2007, she observed a white, four door 2002 Honda Accord parked in Sugarhouse Park. The Accord was later determined to belong to Ms. Poulson.

5. The written report of Murray City Police Officer M. Barlow that he searched Ms. Poulson's car, and found a tissue with blood on it and a wallet containing the defendant's identification.

6. The statement of Rebekah Hull that she is a Forensic DNA Analyst for Sorenson Forensics. Ms. Hull examined the belt recovered from Ms. Poulson's body and the bloody tissue found in Ms. Poulson's car, and located a male DNA profile on each. Ms. Hull compared the DNA profiles from the belt and the tissue, and her preliminary findings show them to be consistent.

7. The statement of Todd Van Buren that he is the Forensics Science Manager for the Utah State Crime Laboratory. Mr. Van Buren entered the male DNA profile recovered from the tissue into the Utah State CODIS database, and received a preliminary, unconfirmed, match of that DNA profile to the defendant.

8. The statement of Dr. Edward Leis that he is a medical examiner for the State of Utah. Dr. Leis examined Ms. Poulson's body and determined that she had died as a result of strangulation, and that the manner of death was homicide.

9. The Court is notified that the defendant has previously been convicted of Criminal Homicide, Murder.

Pursuant to Utah Code Annotated § 46-5-101 (2007) 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 : \_\_\_\_\_

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DETECTIVE K. HEATON  
Affiant

Authorized for presentment and filing:

LOHRA L. MILLER, District Attorney

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Deputy District Attorney  
October 23, 2007  
SK/gam/07020662