

STATE OF MAINE  
CUMBERLAND, ss.

UNIFIED CRIMINAL COURT  
CRIMINAL ACTION  
DOCKET NO. CR-16-13217

STATE OF MAINE

V.

CRIMINAL COMPLAINT FOR  
VIOLATION OF 17-A M.R.S. § 201(1)(A)  
INTENTIONAL OR KNOWING MURDER

DAVID PINKHAM

DOB: [REDACTED]  
Address: [REDACTED]

Bridgton, ME  
Height: 5'07" Weight: 145  
Hair: Gray Eyes: Blue

ATN No. 167061B  
CTN No. 001  
Sequence No. 000621

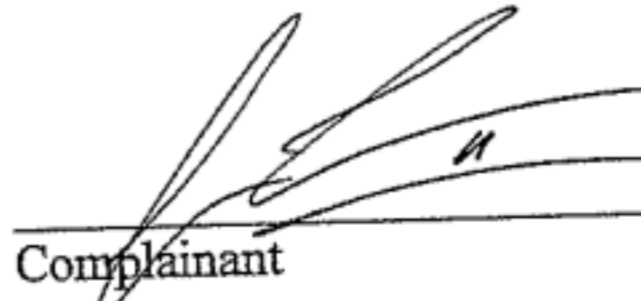
023202  
CLERK'S OFFICE  
MAR 7 AM 9 12

John L. Kyle., II, Maine State Police Detective, Major Crimes Unit, being first duly sworn, deposes and states upon information and belief that:

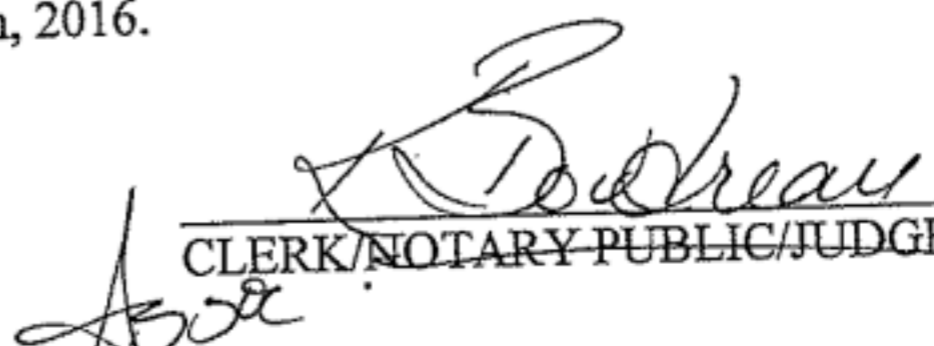
COUNT 1

MURDER

On or about March 5, 2016, in the Town of Sebago, Cumberland County, State of Maine, DAVID PINKHAM [REDACTED] did intentionally or knowingly cause the death of CHARLES CROSS [REDACTED], all in violation of 17-A M.R.S. § 201(1)(A).

  
Complainant

Sworn to before me this 7 day of March, 2016.

  
CLERK/NOTARY PUBLIC/JUDGE

STATE OF MAINE  
CUMBERLAND, ss.

UNIFIED CRIMINAL COURT  
CRIMINAL ACTION  
DOCKET NO. CR-16

STATE OF MAINE )  
 )  
v. )  
 )  
DAVID PINKHAM )

**PROBABLE CAUSE AFFIDAVIT IN  
SUPPORT OF ARREST OF DAVID PINKHAM**

2016 MAR 7 AM 9:12

STATE OF MAINE  
CLERK OF SUPERIOR COURT  
CLERK'S OFFICE

023282

[M.R.U.CRIM.P 4A (b)(2) initial determination of probable cause

TO: Any Judge of the Unified Criminal Docket:

I, Detective John L. Kyle II, having been duly sworn, depose and say as follows:

1. I am a Detective with the Major Crimes Unit of the Maine State Police and have been assigned as primary investigator regarding the investigation of the death of CHARLES CROSS, [REDACTED] occurring on or about March 5, 2016, at approximately 1155 a.m.
2. The facts herein stated are based on my personal firsthand knowledge or have been related to me by other law enforcement officers involved in the investigation.
3. My conclusion that such probable cause exists is based on the following factual information:
4. On 3/5/16 at 1242 hours I was contacted by Sgt. CHRISTOPHER HARRIMAN of the Maine State Police - Major Crimes Unit, with a report of a Homicide in Sebago. The case involved a CHARLES CROSS, [REDACTED] and DAVID W. PINKHAM [REDACTED]. CROSS was shot while standing in the driveway of his home and the suspect, DAVID W. PINKHAM [REDACTED] had just fled the scene.
5. On 3/5/2016 at 1155 hours Cumberland County Sherriff's Office received a 911 call from 311 HANCOCK POND ROAD. The female caller stated that CHARLES CROSS had just been shot in his driveway by DAVID PINKHAM and that PINKHAM had just fled the scene in a Purple 2 door, Plymouth Neon driving towards Bridgton.
6. On 3/5/2016 at approximately 1205 p.m. Officer Donald McCormick of Bridgton Police Department stopped a Purple 2 door Plymouth Neon, bearing Maine registration 7055UW, being operated by DAVID PINKHAM. In plain view on the front passenger seat of the Plymouth was a "38 special" revolver type handgun. Officer McCormick took PINKHAM into custody without incident.

7. On 3/5/2016 at 1449 hours I met with DAVID PINKHAM at the Bridgton Police Department. I began a brief interview with PINKHAM in an attempt to discuss the events which had just occurred. After having had his Miranda rights read to him by me PINKHAM declined to answer any further questions and the interview was concluded.
8. PINKHAM was arrested by me and transported to the Cumberland County Jail by Sgt. James Estabrook of the Cumberland County Sherriff's Office.
9. Detective Lauren Edstrom told me the following:

On 3/5/16 at 1416 hours, I interviewed CROSS' longtime girlfriend, PAULA SIMONDS. She told me the following: On 3/5/16 at 1130 hours, she was sitting in her living room with CROSS and her grandson, ZACHARY CROSS, age 7. She heard a car idling so she got up to look out the window. She saw a purple car backed in next to her white car in the driveway with a male known to her as DAVID PINKHAM walking in the driveway smoking a cigarette. She also recognized the car to be PINKHAM's as she had seen him driving it two weeks ago. She told CROSS that PINKHAM was there and went back to her seat in the living room. CROSS waiting for him to come to the door and let him in. CROSS and PINKHAM chatted in the kitchen. The house has an open floor plan so SIMONDS could see and hear CROSS and PINKHAM talking in the kitchen while she sat in the living room. She heard them making idle conversation about cars and apartments. She said they spoke in their normal, low voices and that nothing was unusual about his visit. After approximately five minutes, PINKHAM left and CROSS followed as he always does with their guests to walk them outside. She said shortly thereafter she heard a noise that sounded like "pop-pop". She looked out the window and saw CROSS laying in the snowbank. At the same time, she saw PINKHAM get in the driver's seat and drive off towards Bridgton. She did not see anyone else in or around the vehicles.

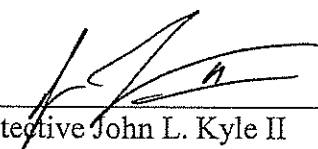
SIMONDS said CROSS is PINKHAM's ex-brother-in-law as CROSS was married to PINKHAM's sister for over 20 years. They divorced over 20 years ago but PINKHAM and CROSS remained friends. CROSS also maintained a close relationship PINKHAM's father, LESLIE PINKHAM (CROSS' ex-father-in-law) until his death four years ago. SIMONDS could give no reason why PINKHAM would want to kill CROSS

10. On 03/05/16 at 1708 hours Det. Michael Chavez spoke to DYLAN DESOUSA [REDACTED] [REDACTED] formerly of 116 High Street apartment 2 who advised that he was familiar with DAVID PINKHAM. DESOUSA said that two days ago he met with PINKHAM within his apartment to engage in casual conversation. PINKHAM told DESOUSA that he had recently purchased a handgun from a gun shop in Naples about a week and a half ago and then showed it to Desousa. DESOUSA said that the gun was a .38 caliber and held five shells, which PINKHAM removed prior to giving it to DESOUSA. DESOUSA also indicated that PINKHAM felt that people were out to get him and that he carried the handgun everywhere he went.

Based on the above facts, I have probable cause to believe that DAVID PINKHAM  
DOB: 8/17/1948 has committed the crime of intentional or knowing murder, 17-A  
MRSA 201 (1) (A).

I, Detective John L. Kyle II, hereby swear under oath that the information set forth in this  
affidavit is true and correct to the best of my knowledge, information and belief, and that  
I make this oath under pains and penalties of perjury.

March 7, 2016

  
\_\_\_\_\_  
Detective John L. Kyle II  
Maine State Police  
Major Crimes Unit

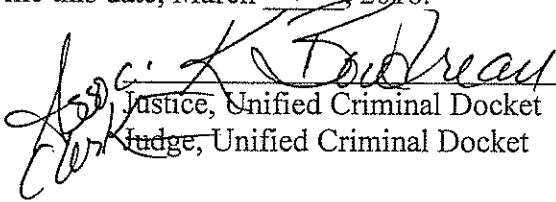
State of Maine  
Cumberland, SS.

The above named, Detective John L. Kyle II, personally appeared before me and  
made oath as to the truth of the foregoing affidavit signed by John L. Kyle II.

On the basis of the affidavit and materials incorporated herein, I find probable  
cause.

Signed and sworn to before me this date, March 7, 2016.

Time: 9:00  
AM

  
\_\_\_\_\_  
Justice, Unified Criminal Docket  
Judge, Unified Criminal Docket