

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BARNES

SOUTHEAST JUDICIAL DISTRICT

State of North Dakota, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 )  
 Gracious Weah, )  
 )  
 Defendant. )  
 .....)

**THIRD  
AMENDED INFORMATION**

Criminal No. 02-2021-CR-00305

[¶1] Marina Spahr, Assistant Attorney General for the State of North Dakota and Director of the Medicaid Fraud Control Unit, charges that in Barnes County, the defendant, Gracious Weah, did commit the crimes of **Aggravated Assault (CST #C00227) (Count 1)**, and **Reckless Endangerment (CST #C00270) (Count 2)**, committed as follows:

**Count 1:** On or about the 18<sup>th</sup> day of October, 2020, through the 19<sup>th</sup> day of October, 2020, the defendant, willfully caused serious bodily injury to another human being, that person suffering from a permanent loss or impairment of the function of a bodily member or organ; specifically, the defendant, while attending to B.B. (YOB:1935) as a certified nursing assistant caused serious bodily injury and/or broken leg bones and/or serious pain to B.B. and those injuries caused permanent impairment to her legs and the need for hospice care.

N.D.C.C.	12.1-17-02(1)(a)	
	12.1-17-02(2)(c)	
	12.1-32-01(3)	CLASS B FELONY

**Count 2:** On or about the 18<sup>th</sup> day of October, 2020, through the 19<sup>th</sup> day of October, 2020, the defendant, willfully created a substantial risk of serious bodily injury or death to another under circumstances manifesting extreme indifference to the value of human life; specifically, the defendant, while working as a certified nursing assistant and with extreme indifference to the value of human life, failed to report, failed to care for and/or attempted to hide, B.B.'s (YOB:1935) broken legs, causing a substantial risk of serious bodily injury and/or death to B.B.

N.D.C.C.

12.1-17-03

12.1-32-01(4)

CLASS C FELONY

[¶2] This against the peace and dignity of the State of North Dakota.

Dated this 20<sup>th</sup> day of April, 2022.

STATE OF NORTH DAKOTA

Drew H. Wrigley

Attorney General

By: Marina Spahr

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Attorney for the Plaintiff

State's Witnesses:

Special Agent Breanna Leingang

K.L.

Ronda Schell

Victoria Lundy

Augustine Gaye

Stephanie Johnson

JoKaren Namayan

Jeanet Cole

Emily Peterson

Heather Elliot

Janel Richman

Sergeant Nick Horner

Melissa Miller

Lieutenant Dana Rustebakke

Dr. Thomas McGill

Karen Burchill

Jon Sales

Dr. Daniel Fritz

Dr. Christina Harmon

Dr. Mitchell Crider

Dr. Prasad Sawardeker

Leticia Dzon-Nappier

Colleen Rowe

Dawn Zimprich Mathias

Kayla Holzer, RN

Kari Magstadt

Heather Pautz

Sarah Parkman

Tina Wesseh

Steve Young

Molly Olson

Angela Waters

Joey Paul

Dr. Thomas Matheson

Craig Christianson

Dr. Tanya Diegel

Scott Miller

Alana McClellan

Paul Kamrowski

Trent Bitz

Dr. Ryan Gnesda

Bobbie Houn

Theodore Smith

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Samantha Carlson

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Dr. Brian Rau