

COUNTY COURT
COUNTY OF HERKIMER: STATE OF NEW YORK

-----X
THE PEOPLE OF THE STATE OF NEW YORK :

- against - :

1. MARY STOCKING :

2. MICHAEL SUTTER :

3. MARA LASHER :

Defendant. :
-----X

Indictment Number

IND-70199-26/001

IND-70199-26/002

IND-70199-26/003

Count 1: Manslaughter in the Second Degree (PL § 125.15(1)) (a class C felony)
[Defendant 1]

Count 2: Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or
Physically Disabled Person in the First Degree (P.L. §260.34(2)) (a class D felony)
[Defendant 1]

Count 3: Endangering the Welfare of an Incompetent or Physically Disabled Person in the First
Degree (P.L. §260.25) (a class E felony)
[Defendant 1]

Count 4: Falsifying Business Records in the First Degree (P.L. §175.10) (a class E felony)
[Defendant 1]

Count 5: Wilful Violation of Public Health Laws (P.H.L. §§2803-d(7) and 12-b(2))
(an unclassified misdemeanor)
[Defendant 1]

Count 6: Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or
Physically Disabled Person in the First Degree (P.L. §260.34(2)) (a class D felony)
[Defendant 2]

Count 7: Endangering the Welfare of an Incompetent or Physically Disabled Person in the First
Degree (P.L. §260.25) (a class E felony)
[Defendant 2]

Count 8: Wilful Violation of Public Health Laws (P.H.L. §§2803-d(7) and 12-b(2))
(an unclassified misdemeanor)
[Defendant 2]

RECEIVED

SEP 14 2026

MULTI-BENCH COURTS
HERKIMER COUNTY

- Count 9: Endangering the Welfare of a Vulnerable Elderly Person, or an Incompetent or Physically Disabled Person in the First Degree (P.L. §260.34(2)) (a class D felony)
[Defendant 3]
- Count 10: Endangering the Welfare of an Incompetent or Physically Disabled Person in the First Degree (P.L. §260.25) (a class E felony)
[Defendant 3]
- Count 11: Wilful Violation of Public Health Laws (P.H.L. §§2803-d(7) and 12-b(2))
(an unclassified misdemeanor)
[Defendant 3]

A True Bill


For person

LETITIA JAMES
NEW YORK STATE ATTORNEY GENERAL

By:



Jane Raven
Special Assistant Attorney General

Dated: September 14, 2026

COUNT ONE

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARY STOCKING of the crime of MANSLAUGHTER IN THE SECOND DEGREE in violation of Section 120.15(1) of the Penal Law, committed as follows:

The defendant, MARY STOCKING, on or about August 23, 2025, in the County of Herkimer, in the State of New York, recklessly caused the death of R.G., a person whose full name is known to the Grand Jury, by failing to call for assistance when she observed R.G. in distress.

COUNT TWO

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARY STOCKING of the crime of ENDANGERING THE WELFARE OF A VULNERABLE ELDERLY PERSON, OR AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.34(2) of the Penal Law, committed as follows:

The defendant, MARY STOCKING, on or about August 23, 2025, in the County of Herkimer, in the State of New York, being a caregiver for R.G., a person whose full name is known to the Grand Jury and who was an incompetent or physically disabled person, recklessly caused serious physical injury to R.G. by failing to call for assistance when she observed R.G. in distress.

COUNT THREE

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARY STOCKING of the crime of ENDANGERING THE WELFARE OF AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.25 of the Penal Law, committed as follows:

The defendant, MARY STOCKING, on or about August 23, 2025, in the County of Herkimer, in the State of New York, knowingly acted in a manner likely to be injurious to the physical, mental, and moral welfare of R.G., a person whose full name is known to the Grand Jury and who was unable to care for himself or herself because of physical disability, mental disease and defect, by failing to call for assistance when she observed R.G. in distress.

COUNT FOUR

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARY STOCKING of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE in violation of Section 175.10 of the Penal Law, committed as follows:

The defendant, MARY STOCKING, on or about August 26, 2025, in the County of Herkimer, in the State of New York, with intent to defraud, which included an intent to commit another crime and to aid and conceal the commission thereof, caused a false entry in the business records of The Grand at Mohawk Valley, to wit: a written statement dated August 26, 2025.

COUNT FIVE

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARY STOCKING of the crime of WILFUL VIOLATION OF HEALTH LAWS, in violation of Sections 2803-d(7) and 12-b(2) of the Public Health Law, committed as follows:

The defendant, MARY STOCKING, while an employee of a residential health care facility, on or about August 23, 2025, in the County of Herkimer, in the State of New York, wilfully violated a provision of the Public Health Law by subjecting R.G., a person whose full name is known to the Grand Jury and who was a resident and under the supervision of that residential health care facility, to an act of neglect by failing to provide R.G. with timely, consistent, safe, adequate and appropriate services, treatment, and/or care, by failing to call for assistance when she observed R.G. in distress.

COUNT SIX

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MICHAEL SUTTER of the crime of ENDANGERING THE WELFARE OF A VULNERABLE ELDERLY PERSON, OR AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.34(2) of the Penal Law, committed as follows:

The defendant, MICHAEL SUTTER, on or about and between August 21, 2025 and August 23, 2025, in the County of Herkimer, in the State of New York, being a caregiver for R.G., a person whose full name is known to the Grand Jury and who was an incompetent or physically disabled person, recklessly caused serious physical injury to R.G. by removing R.G. from one-to-one supervision.

COUNT SEVEN

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MICHAEL SUTTER of the crime of the crime of ENDANGERING THE WELFARE OF AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.25 of the Penal Law, committed as follows:

The defendant, MICHAEL SUTTER, on or about and between August 21, 2025 and August 23, 2025, in the County of Herkimer, in the State of New York, knowingly acted in a manner likely to be injurious to the physical, mental, and moral welfare of R.G., a person whose full name is known to the Grand Jury and who was unable to care for himself or herself because of physical disability, mental disease and defect, by removing R.G. from one-to-one supervision.

COUNT EIGHT

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MICHAEL SUTTER of the crime of WILFUL VIOLATION OF HEALTH LAWS, in violation of Sections 2803-d(7) and 12-b(2) of the Public Health Law, committed as follows:

The defendant, MICHAEL SUTTER, while an employee of a residential health care facility, on or about and between August 21, 2025 and August 23, 2025, in the County of Herkimer, in the State of New York, wilfully violated a provision of the Public Health Law by subjecting R.G., a person whose full name is known to the Grand Jury and who was a resident and under the supervision of that residential health care facility, to an act of neglect by failing to provide R.G. with timely, consistent, safe, adequate and appropriate services, treatment, and/or care, by removing R.G. from one-to-one supervision.

COUNT NINE

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARA LASHER of the crime of ENDANGERING THE WELFARE OF A VULNERABLE ELDERLY PERSON, OR AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.34(2) of the Penal Law, committed as follows:

The defendant, MARA LASHER, on August 23, 2025, in the County of Herkimer, in the State of New York, being a caregiver for R.G., a person whose full name is known to the Grand Jury and who was an incompetent or physically disabled person, recklessly caused serious physical injury to R.G. by failing to check on R.G. when she observed R.G. face down on the dining room table, unresponsive, and with R.G.'s arms stretched out in front of R.G.

COUNT TEN

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARA LASHER of the crime of ENDANGERING THE WELFARE OF AN INCOMPETENT OR PHYSICALLY DISABLED PERSON IN THE FIRST DEGREE in violation of Section 260.25 of the Penal Law, committed as follows:

The defendant, MARA LASHER, on or about August 23, 2025, in the County of Herkimer, in the State of New York, knowingly acted in a manner likely to be injurious to the physical, mental, and moral welfare of R.G., a person whose full name is known to the Grand Jury and who was unable to care for himself or herself because of physical disability, mental disease and defect, by failing to check on R.G. when she observed R.G. face down on the dining room table, unresponsive, and with R.G.'s arms stretched out in front of R.G.

COUNT ELEVEN

THE GRAND JURY OF THE COUNTY OF HERKIMER, by this Indictment, accuses the defendant MARA LASHER of the crime of WILFUL VIOLATION OF HEALTH LAWS, in violation of Sections 2803-d(7) and 12-b(2) of the Public Health Law, committed as follows:

The defendant, MARA LASHER, while an employee of a residential health care facility, on or about August 23, 2025, in the County of Herkimer, in the State of New York, wilfully violated a provision of the Public Health Law by subjecting R.G., a person whose full name is known to the Grand Jury and who was a resident and under the supervision of that residential health care facility, to an act of neglect by failing to provide R.G. with timely, consistent, safe, adequate and appropriate services, treatment, and/or care, by failing to check on R.G. when she observed R.G. face down on the dining room table, unresponsive, and with R.G.'s arms stretched out in front of R.G.

LETITIA JAMES
NEW YORK STATE ATTORNEY GENERAL