



## **For Immediate Release**

**Date:** October 30, 2020

### **Re: Two Counts of Perjury Bind Elbert Paule, Acquitted of Murder, to Trial**

On October 28, 2020, Elbert Paule was bound over for two counts of perjury by Judge Lynn W. Davis in the 4th District Court.

Paule was accused, and charged, with the murder of Dominique Barnett on February 28, 2019 at the Parkway Apartments in Orem. In March 2020, a jury trial was conducted wherein Paule took the stand and testified in his own behalf.

Paule told the jury during the trial that he heard someone knocking on the apartment door for several minutes and went to retrieve his shotgun. Paule also claimed he did not look through the peephole to see who was knocking. Paule testified that while he was standing in the kitchen, Barnett opened the door and began to enter with a knife. Paule, in fear for his life, admitted that he shot Barnett.

The testimony from Dominique Barnett's fiance, who accompanied her, claimed that while standing in the hall with their 6-month daughter, Paule opened the apartment door quickly and shot Barnett while Barnett was standing in the hallway and that Barnett never had a knife.

Upon deliberation, the jury acquitted Paul of murder, but convicted him of obstructing justice for throwing the 12-gauge shotgun over the apartment balcony.

On Jun 25, 2020, Judge Lynn W. Davis sentenced Paule to the Utah State Prison for second-degree felony of obstructing justice.

Prior to Paule's sentencing, the State of Utah filed two counts of perjury against Paule. The State alleges that Paule made material false statements to the jury.

On September 16, 2020, at the preliminary hearing, the State provided forensic analyses from blood spatter experts supporting a finding that Barnett was shot in the hallway, where the body was found, when Paule shot Barnett, and not inside the apartment as Paule alleged. A statement was also provided from a witness who was inside Paule's apartment when Barnett first began knocking.

Based on the evidence provided by the State at the preliminary hearing, the judge found there was probable cause to believe that Paule made material false statements when he testified at trial.

The court set an arraignment date for December 2, 2020.

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**For more information or for interview requests, please contact:**

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