



# Heimberg charged with murder

Posted Wednesday, September 12, 2018 12:00 am

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**SAGUACHE** —A day-long investigation by the Saguache County Sheriff's Office, the Colorado Bureau of Investigation and the Safe Streets multi-agency federal task force resulted in the arrest of a Saguache business owner in a fatal shooting that occurred early Friday morning.

Steven Heimberg, 58, was arrested on charges of second degree-murder in the death of Rich Wharton, 42. Saguache Sheriff's Office dispatch received the call reporting a shooting at 4:31 a.m.

According to a report submitted for a warrantless arrest by Undersheriff Jim McCloskey, Heimberg heard noises in his business yard early Friday morning and went out with a gun to investigate. He saw a man on the roof of one of his business sheds waving a metal pipe and yelling at him, felt threatened and fired two warning shots.

Heimberg told McCloskey the man advanced across the roof toward him with the metal pipe on the west side of the building and he was in fear of his life. He climbed onto a trailer to gain a better vantage point and began firing at the man as he was coming towards him. Eventually he hit Wharton in the arm and in the chest.

When Heimberg realized he had shot him, he called the Saguache County Sheriff's dispatch center and asked them to send an ambulance. Wharton was pronounced dead at the scene.

According to a pre-autopsy report, Heimberg hit Wharton in the wrist and in the back. Two shell casings were found at the scene. A blood trail also was located on the roof indicating Wharton was on the east not the west side of the building, as Heimberg said. A barbed wire fence there prevented Wharton from escaping on the east side.

Heimberg indicated he had shot Wharton from the front but the pre-autopsy report showed he was shot in the back. Based on this evidence, McCloskey said in his report, he felt he had probable cause to arrest Heimberg for Wharton's murder.

Heimberg was taken to the Saguache County jail where he posted a \$250,000 surety bond. His first hearing on the charges is set for September 12 at 2 p.m. in Saguache.