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FOR IMMEDIATE RELEASE

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**Re: First Degree Murder Trial Conviction:
People v. Dustin Henthorn and Lynden Vanatti, BF172779A/B**

Kern County District Attorney Cynthia Zimmer announced a significant trial verdict today on a homicide case. On August 3, 2021, in a case prosecuted by Deputy District Attorney Christine Antonios, a Kern County jury found Defendants Dustin Henthorn and Lynden Vanatti guilty of First-Degree Murder with the special circumstances of Lying in Wait and Active Participation in a Criminal Gang. The jury also found both Defendants guilty of conspiracy to commit murder, witness intimidation, and related charges.

On July 20, 2017, at North Kern State Prison, Defendants Henthorn and Vanatti conspired to kill victim, Allen Fagerson, in his cell. To accomplish this murder, both defendants threatened Fagerson's cellmate in order to keep the conspiracy a secret and to ensure the cellmate remained outside of Fagerson's cell so that Henthorn would have the opportunity to commit the murder. Instead of fully complying with their orders, Fagerson's cellmate notified correctional officers in an attempt to save Fagerson's life, but Fagerson was dead by the time correctional staff made it to the cell. After returning from inmate yard time and going back into the housing unit, Henthorn had locked himself in Fagerson's cell and stabbed Fagerson 72 times in the neck and chest with an inmate-manufactured weapon.

Allen Fagerson was 56 years old, disabled with severe scoliosis, and walked with a walker. He was serving a two-year sentence for unlawful possession of a weapon. Fagerson had been previously convicted of a misdemeanor solicitation of lewd acts in 1989, which is believed to be among the reasons he was targeted by Henthorn and Vanetti. Fagerson died within minutes of the attack.

At the time of the murder, Fagerson was serving a 2 year, 8 month sentence for a weapons charge that he was sentenced to in April of 2017.

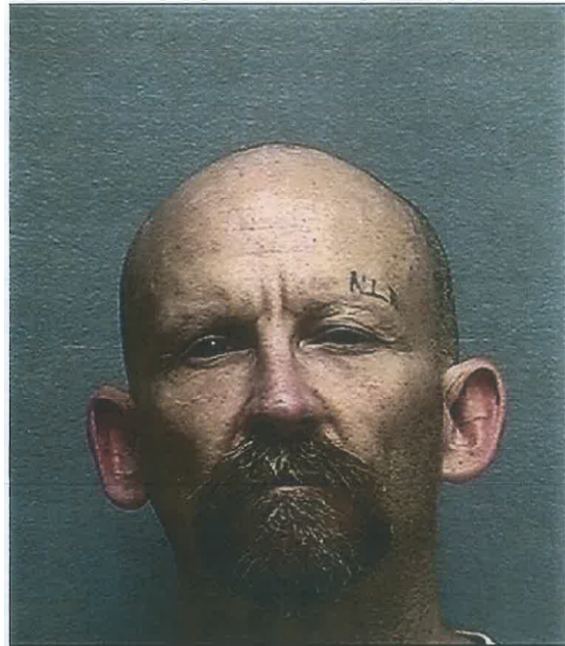
Hawthorn was serving a 16 month sentence for unlawful possession of a firearm by a convicted felon on a sentence he received in May of 2017. The court also found true that Hawthorn has suffered a prior serious "strike" conviction for assault with a deadly weapon.

Vanatti was serving a 2 year sentence on a weapons charge that he received in February of 2017. The court also found true that Vanatti had suffered three prior serious or violent “strike” convictions predating the case, including for shooting at an occupied dwelling, residential burglary, and assault with a deadly weapon by an inmate.

The case was investigated by the North Kern State Prison’s Investigative Services Unit as well as by the Kern County District Attorney’s Office Bureau of Investigation, Prison Unit. The investigation revealed that both Defendants were active participants in the Aryan Brotherhood Prison Gang and that Defendant Lynden Vanatti had gang status within the housing unit that he occupied.

District Attorney Cynthia Zimmer commented on the conviction: “The conspiracy and brutal fashion that this murder was perpetrated serve as a reminder that those sentenced to state prison under current laws are among the most violent and dangerous criminals in our society. An inmate in state prison, even on more minor felony charges like weapons violations, are in prison because of a history of serious and violent crime. As state laws increasingly favor the release of prison inmates on earlier grants of parole, it is important to consider the type of criminals benefitting from such leniency. Both Vanatti and Henthorn are not eligible for parole as a result of this conviction, but prior to the murder they would have been considered “non-violent” offenders eligible for earlier release, despite their history of serious and violent convictions.”

Sentencing is set for August 31, 2021 in front of Judge Twisselman. Each Defendant faces a sentence of life without the possibility of parole.



Dustin Henthorn (Left) and Lynden Vanatti (Right)