

■ \$3 MILLION DEFAULT JUDGMENT

Hupp ordered to pay victim's mother after murder plot

WRONGFUL DEATH

■ **Venue:** St. Charles County Circuit Court

■ **Case Number/Date:** 1911-CC00952/July 17, 2020

■ **Judge:** Michael James Fagras

■ **Caption:** Margaret Burch v. Pamela Hupp

■ **Plaintiff's Attorney:** Gary K. Burger Jr., Burger Law, St. Louis

BY JESSICA SHUMAKER

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A St. Charles County judge has entered a \$3 million default judgment against an O'Fallon woman whom prosecutors alleged killed a cognitively impaired man in 2016 as part of a plot to divert attention from an earlier murder.

On July 17, Judge Michael J. Fagras entered the judgment against Pamela Hupp for plaintiff Margaret Burch. Burch is the mother of Louis Gumpenberger, who was fatally shot in August 2016 at age 33. Burch is also the guardian of Gumpenberger's minor son.

In 2019, Hupp entered an *Alford* plea on a first-degree murder charge for Gumpenberger's death. She didn't admit to the crime with the plea, but instead she conceded that there was enough evidence to support a conviction against her.

Prosecutors alleged in Hupp's criminal case that she killed Gumpenberger to divert attention from the murder of Betsy Faria of Troy. Faria was killed in 2011, and her husband, Russell Faria, was initially convicted and sentenced to life in prison for her murder, though he insisted Hupp committed the crime.

Hupp has never been charged in Betsy Faria's killing, and she has denied she did it. Russell Faria's conviction was overturned in 2013, and he was acquitted when the case was retried.

Earlier this year, he reached a \$2.05 million settlement with a group of Lincoln County law enforcement officials. He alleged that police arrested him without probable cause, fabricated evidence and failed to investigate Hupp.



Margaret Burch, left, talks with attorney Gary Burger Jr. after a court hearing July 17 in which St. Charles County Circuit Judge Michael J. Fagras entered a \$3 million default judgment against Pamela Hupp, who is serving a life sentence for the August 2016 murder of Burch's son, Louis Gumpenberger. Photo by Chris Hayes

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Gary Burger Jr., plaintiff's attorney

According to DOC records, Hupp is currently serving her sentence at the Chillicothe Correctional Center.

She did not respond to Burch's lawsuit, which was filed in October 2019, according to Burch's attorney, Gary Burger Jr. of Burger Law in St. Louis.

Now that his client has a default judgment,

Burger said, they will take steps to assess Hupp's assets. The default judgment will ensure that, should Hupp try to capitalize on her involvement in the Gumpenberger case with a book deal or paid interviews, some of that money will go to Burch, he said.

“We wanted to make sure that she couldn't do that,” he said.

Burger said the hearing before Fagras was unusual in that the judge allowed Burch time to speak.

“She was shaking. The podium was shaking,” Burger said, adding Burch spoke of how her son became handicapped through an automobile accident, had cognitive impairments and helped other people with disabilities.

“This is the first time I’ve been in a courtroom since COVID-19 and everyone was wearing masks, but there wasn’t a dry eye in that courtroom,” he said. “It was very moving and very sad.” **NO**