Did Gargus Possess a Duty of Care Toward Her Mother, and Did Gargus's Breach of Her Duty of Care Cause the Death of Her Mother?

State v. Gargus, *No. ED 99233 (Mo. 2013)*

Gargus was convicted of the felony of elder abuse in the first degree stemming from the death of her mother, Lorraine Gargus (the victim), while in Gargus's care.

"A person commits the crime of elder abuse in the first degree if he attempts to kill, knowingly causes or attempts to cause serious physical injury . . . to any