

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY**

POLICE NO. :	18-058534
PROSECUTOR NO. :	095447105
OCN:	HR002007

STATE OF MISSOURI,)	
	PLAINTIFF,)
vs.)	
)	
TYJUAN K CALDWELL)	
5023 Chestnut Ave)	CASE NO. 1816-CR
Kansas City, MO 64130)	DIVISION
DOB: 06/12/1998)	
Race/Sex: B/M)	
██████████)	
	DEFENDANT.)

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840903.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.021, RSMo, committed the **class A felony of murder in the second degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 1, 2018, in the County of Jackson, State of Missouri, the defendant with the purpose of causing serious physical injury to Daveion Carter caused the death of Bernice A. Brown by shooting her.

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

The range of punishment for a class A felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years and not to exceed thirty (30) years, or life imprisonment.

Count II. Armed Criminal Action (571.015-001Y19755213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.015, RSMo, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about August 1, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in

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Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the second degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) calendar years. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition to any punishment provided by law for the crime committed by, with, or through the use, assistance, or aid of a dangerous instrument or deadly weapon.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, made a part hereof and submitted as a basis upon which this court may find the existence of probable cause.

Wherefore, the Prosecuting Attorney prays that an arrest warrant be issued as provided by law.

JEAN PETERS BAKER
Prosecuting Attorney
Jackson County, Missouri
by,

/s/ Bryan O. Covinsky
Bryan O. Covinsky (#47132)
Assistant Prosecuting Attorney
415 E. 12th Street, Fl 7M
Kansas City, MO 64106
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WITNESSES:

1. DET Leland W. Blank, 1125 Locust, Kansas City, MO 64106

2. [REDACTED]

4. DET Wayne C. Fitzner, 1125 Locust, Kansas City, MO 64106

6. DET Kristofer R. Oldham, 1125 Locust, Kansas City, MO 64106

7. PO Ethan Skinner, 1125 Locust, Kansas City, MO 64106

8. PO Andre M. Williams, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 8-2-2018

CRN: 18-58534

I, Det. Wayne Fitzner 3685
(Name and identify law enforcement officer, or person having information as probable cause.)

knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

I have probable cause to believe that on 8-1-2018, at 5018 Chestnut in
(Date) (Address)

Kansas City, Jackson Missouri Tyjuan K. Caldwell
(County) (Name of Offender(s))

BM, 6-12-1998 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 8-1-2018 at 1523 hours, Kansas City Missouri Police Officers were dispatched to 5018 Chestnut on a Shot Spotter, sound of shots. Upon arrival they observed the victim Bernice Brown, BF, 12-17-1974 lying deceased in the street from an apparent gunshot wound to the head. Jackson County Medical Examiner ruled the death a homicide.

Several witnesses were contacted and provided statements. Witness #1 stated he went to the suspect's residence because the suspect owed him money. Once he contacted the suspect, they began arguing and it became physical. He stated that he was on top of the suspect when the suspect's mother started pulling on him, trying to get him off. The witness left the scene and returned a short while later. He then got into physical fight with the suspect's brother. The witnesses mother, then arrived on scene and tried to break up the fight. The suspect was handed a gun by a third party at the scene. The witness then ran from the scene as he heard the suspect shooting at him. A short while later he came back and observed the victim had been shot.

Another witness advised that the suspect, Tyjuan Caldwell was in a physical altercation with the victim's son. This witness tried to break up the fight. The victim came to the scene and started yelling at the witness, accusing her of hitting the victim's son. While she was arguing with the victim, she heard shots being fired. She turned around and observed Caldwell holding a gun. She asked him what did he do and he responded, "I don't know". She stated that Caldwell then ran up to the residence and when police arrived, he came out to them.

A third witness, the brother of the suspect, stated he heard the suspect on the front porch fighting with a male. He went outside to help the suspect and the male left. The male then returned and the witness got into a physical altercation with the male. The suspect came out of the house and the witness heard several shots. He did not see who fired the shots. The witness then went inside the residence and the suspect came inside after him. The suspect told him he had shot the victim and was probably going to jail.

On 8/2/18 at 1215 hours the suspect was transported to 1125 Locust for questioning. He was advised of his Miranda Rights and agreed to talk with Detectives. The suspect stated he was involved in a dispute with

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Daveion (witness #1) that escalated to a physical fight. The fight was broke up by several other people and Daveion left. When Daveion left, the suspect went back into his residence. A few minutes later the suspect's brother came inside with blood on his shirt and he assumed that Daveion had done something to him. The suspect then went to the basement and grabbed his gun which he keeps behind the washing machine. He ran outside where there were several people still arguing in the street. He stated he fired his gun in Daveion's direction three times and he saw the victim jump into his line of fire. He further stated that he was shooting in a downward direction at Daveion's legs.

Printed Name Det. Wayne Fitzner 3685 Signature /S/ Det. Wayne Fitzner 3685

The Court finds probable cause and directs the issuance of a warrant this _____ day of _____.

Judge

Circuit Court of _____ County, State of Missouri.