

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

POLICE NO. :	18-063261
PROSECUTOR NO. :	095447604
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
MARSHALL CELESTINE)	
3339 Wabash)	CASE NO. 1816-CR
Kansas City, MO 64109)	DIVISION
DOB: 10/23/1951)	
Race/Sex: B/M)	
[REDACTED])	
)	DEFENDANT.

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840911.0)

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 17, 2018, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Clay A. Morris by shooting him.

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.

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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 571.015.2, RSMo, in that on or about August 17, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in Count One, 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. 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.

Count III. Unlawful Possession Of A Firearm (571.070-001Y20175212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the **class D felony of unlawful possession of a firearm**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about August 17, 2018, in the County of Jackson, State of Missouri, the defendant knowingly possessed a .38 special revolver, a firearm, and On or about August 22, 1975, the defendant was convicted of the felony of aggravated kidnapping in the Sedgwick County Kansas Circuit Court, Case number 11133.

The range of punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

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.

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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/ Kelsey L. Blackwell
Kelsey L. Blackwell (#63713)
Assistant Prosecuting Attorney
415 E. 12th Street
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WITNESSES:

1. [REDACTED]
2. DET Scott M. Emery, 1125 Locust, Kansas City, MO 64106
3. DET Thomas M. Hammond, 1125 Locust, Kansas City, MO 64106
4. [REDACTED]
64106
5. DET Hobart D. Price, 1125 Locust, Kansas City, MO 64106
6. PO Abygail Shockley, 1125 Locust, Kansas City, MO 64106
7. DET Daniel G. Thomas, 1125 Locust, Kansas City, MO 64106
8. [REDACTED]

PROBABLE CAUSE STATEMENT FORM

Date: 08-23-2018

CRN: 18-063261

I, Det. Scott Emery #4161 (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 08-17-2018, at 3339 Wabash in (Date) (Address)

Kansas City, Jackson Missouri Marshall Celestine (County) (Name of Offender(s))

B/M, 10-23-1951 committed one or more criminal offense(s). (Description of Identity)

Murder, ACA, FIP

The facts supporting this belief are as follows:

On 08-17-2018, at 1641 hours, Officers of the Kansas City Missouri Police Department were dispatched to the area of East 33rd Street and Wabash Avenue, Kansas City, Jackson County, Missouri, in regards to sounds of shots. While en route the call was updated to a shooting.

Upon arrival Officers located the Victim lying deceased in the front yard of 3339 Wabash and the Jackson County Medical Examiner will be ruling the death a murder.

Detectives interviewed Witness One, who advised. She stated she was leaving 3335 Wabash Avenue when she encountered Witness Three. She stated he was exiting 3339 Wabash around the same time, carrying a vacuum. As she unlocked the door to her vehicle she heard, "Pop, pop, pop". She looked up and saw a guy (victim) dressed in all red exiting the residence. The victim was staggering out of the residence and dropped a bag. She observed the victim staggering off the porch and eventually fall to the ground. She observed the Suspect, stand at the top of the stairs, shoot the victim two more times and walked back into the house.

Detectives interviewed Witness Two who advised, he did not see the shooting, but right after the shooting occurred, he observed a black male get into a green Honda, which bore Missouri license plate AG7G1F, which had dark tinted windows, and leave the scene northbound on Wabash Avenue. Witness Two stated the vehicle then turned westbound on Linwood Boulevard.

Witness Three advised he had just left 3339 Wabash. The Victim had walked out with him and only the Suspect remained inside the residence. He further advised he had walked to the trash around the side of the residence when he heard shots. He walked to the front of the residence and observed the Victim suffering from a gunshot wound. He additionally observed the Suspect driving out of the driveway in his green Honda. He viewed a line-up containing Marshal Celestine, B/M, 10-23-1951. He identified Celestine as the person in the residence before and as the person who left after the shooting. He additionally advised he has known Celestine for forty years.

A computer check was conducted of the license plate which was registered to Marshall Celestine, 3339 Wabash, on a 1999 Honda Accord. Additionally ALPR was checked and on 08-17-2018 at 1646 hours, the vehicle was documented at Linwood and Paseo.

PROBABLE CAUSE STATEMENT FORM

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On 08-20-2018 at 2353 hours, Officers of the Overland Park Kansas Police department located the green Honda (AG7G1F) at 7701 Frontage road, when they approached the vehicle they encountered a black male driver holding a small black revolver. The driver initially refused to exit the vehicle but later did and **Marshal Celestine, B/M, 10-23-1951** was arrested for Felon in Possession of a Firearm. The vehicle was towed to Overland Park Police's processing garage and detectives from Overland Park obtained a Search Warrant for the vehicle. A FIE .38 special revolver was located inside the vehicle, containing three spent and three live rounds.

The reporting detective responded to the Jackson County Medical Examiner's Office and Inv. Failing released a spent bullet recovered from the Victim's body to the reporting detective.

The reporting detective took the firearm and the bullet to the Crime Laboratory and Examiner Skinner advised both the spent bullet (morgue) and the copper jacket recovered from the crime scene matched the firearm.

The Suspect was interviewed by detectives and invoked his right to counsel shortly after the interview began.

A records check of Marshal Celestine revealed him to be a convicted felon from Sedgwick County Kansas on case number 11133. Celestine was convicted of three counts aggravated robbery, three counts kidnapping and one count aggravated kidnapping and sentenced on August 22nd, 1975.

Printed Name Det. Scott Emery #4161 Signature /S/ Det. Scott Emery #4161

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

Judge

Circuit Court of _____ County, State of Missouri.