


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

POLICE NO. :	18-065413
PROSECUTOR NO. :	095448100
OCN:	

STATE OF MISSOURI,)	
	PLAINTIFF,)
vs.)	
)	
BRANDON E NEAL)	
3511 Highland Ave.)	CASE NO. 1816-CR
Kansas City, MO 64109)	DIVISION
DOB: 07/08/1988)	
Race/Sex: B/M)	
)	
	DEFENDANT.)

COMPLAINT

Count I. Murder 1st Degree (565.020-001Y19840903.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about August 25, 2018, in the County of Jackson, State of Missouri, the defendant after deliberation, knowingly caused the death of Raphael M Grimmatt by shooting him.

The range of punishment for a Murder in the First degree is death or imprisonment in the custody of the Missouri Department of Corrections for life without eligibility of probation or parole, or release except by act of the governor. A person found guilty of murder in the first degree who was under the age of eighteen at the time of the commission of the offense shall be sentenced to a term of life without eligibility for probation or parole as provided in section 565.034, life imprisonment with eligibility for parole, or not less than thirty years and not to exceed forty years 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 25, 2018, in the County of Jackson, State of

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Missouri, the defendant committed the felony of murder in the first degree charged in Count 1, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the first degree, 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
(816) 881-3368
BCovinsky@jacksongov.org

WITNESSES:

1. DET Alane M. Booth, 1125 Locust, Kansas City, MO 64106
2. PO Thomas A. Bradshaw,
3. DET Donna M. Drake, 5301 E. 27th Street, Kansas City, MO 64127

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4. CST Stacie Frobenius, 6633 Troost, Kansas City, MO 64131

5. [REDACTED]
64106

6. Raphael M Grimmatt, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106

7. [REDACTED]
64106

8. DET Darin K. Penrod, 1125 Locust, Kansas City, MO 64106

9. DET Mark A. Slater, 1125 Locust, Kansas City, MO 64106

10. DET Christopher S. Smith,
[REDACTED]
64106

12. DET Jeremy D. Wells, 1125 Locust, Kansas City, MO 64106

13. [REDACTED] City,
MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 09/14/2018

CRN: 18-65413

I, Detective Mark A. Slater #5206 Kansas City Missouri Police Department, Homicide Unit
(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 08-25-2018, at 6816 Cleveland Ave in
(Date) (Address)

Kansas City, Jackson County Missouri Brandon Neal
(County) (Name of Offender(s))

B/M, DOB: 07-08-88, committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:
On 08-25-2018 at approximately 0500 hours, A Kansas City Missouri Police Officer was performing patrol activities in the area of Swope Parkway and Meyer Blvd Kansas City, Jackson County, Missouri 64132 when he observed a blue in color Dodge Charger run a stop sign at the aforementioned intersection at a high rate of speed. The officer attempted to perform a traffic stop but, was unable to do so, the vehicle was located unoccupied, a couple of blocks to the south of the intersection in which the vehicle was initially observed. The officer positioned his patrol vehicle in a position to observe the unoccupied vehicle. Moments after repositioning his vehicle the officer heard approximately 8 gunshots and observed a male running from a residence located at 6816 Cleveland Ave Kansas City, Jackson County, Missouri 64132, entered the aforementioned blue Dodge Charger then fled the area north bound on Cleveland Ave. The Kansas City Missouri Police Officer pursued the vehicle through the City of Kansas City Missouri and ultimately into Kansas City Kansas. During the course of the pursuit the suspect refused to stop and attempted to elude law enforcement officers by running stop lights, stop signs and traveling in excess of 90 MPH on city streets. The suspect Devon Nolan was taken into custody by Kansas City Missouri Law Enforcement officers at 7th Street Traffic Way and Rainbow Blvd. The suspect and driver of the blue Dodge Charger was identified as Devon Nolan and transported to Wyandotte County Correctional Facility in regard.

On 08-25-2018 at approximately 0509 hours, as the pursuit of the aforementioned suspect vehicle began, additional officers responded to the area of 6816 Cleveland Ave in regard to the sounds of shots reported at that location. Officers determined that a shooting had occurred and that the victim had died at the scene as a result of his injuries. The Jackson County Medical Examiner ruled the, "Manner of Death" to be Homicide. Additionally, officers located several witnesses at the scene. The witnesses were contacted by detectives who agreed to provide formal statements and accompanied detectives to police headquarters.

Witness #1 stated that on 08-25-2018 during the early morning hours she along with the SUS #1 Devon Nolan (whom she knew as the uncle of the victim) and another witness (whom she identified as the cousin of the victim) learned that the victim had been arrested in a nearby jurisdiction and needed a ride home. WIT #1 stated the aforementioned parties drove to Riverside Missouri in Nolan's blue Dodge Charger to pick up the victim. WIT #1 stated they picked the victim up and further stated Nolan was intoxicated and driving poorly which caused an argument in the vehicle. WIT #1 stated they ultimately returned to her residence located at 6816 Cleveland Ave Kansas City, Jackson County, Missouri 64132. When they arrived she observed the second suspect (SUS #2) who she described as a black male wearing a red in color shirt. A short time later WIT #1 became aware that Nolan was involved in an argument with the victim's mother which ultimately turned physical when Nolan struck the victim's mother. A physical altercation ensued in which the victim became

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involved. The physical altercation began in the residence but, moved to the front yard of the aforementioned address. WIT #1 stated that she observed the black male with the red shirt that she had previously seen inside the residence produce a handgun. The victim observed the black male with the red shirt produce the handgun and attempted to run away. WIT #1 stated she observed the unknown black male wearing the red shirt chase the victim and shoot him several times. WIT #1 stated that after the shooting **Nolan** and the unknown black male entered **Nolan's** blue Dodge Charger and fled the scene at a high rate of speed.

WIT #2 stated that on 08-25-2018 at approximately 0500 hours, she was speaking with the victim when **Devon Nolan** entered her residence and began an argument with her and the victim and attempted to physically fight with him. WIT #2 told **Nolan** to leave her residence. **Nolan** then shoved WIT #2 and began a physical altercation with her. The victim, WIT #2 and **Nolan** became involved in a physical altercation which ultimately ended up on the front yard of 6816 Cleveland Ave. WIT #2 stated while she, the victim and **Nolan** were fighting on the front lawn she observed a black male that she had spent the evening at her residence that she identified as "**Brandon**" was a friend of **Nolan's** and the brother of **Nolan's** girlfriend and mother of his child, produce a black in color semi-automatic handgun. WIT #2 stated the victim attempted to run away to the south through the yard. WIT #2 stated she observed an individual she knows as **Brandon** chase the victim to the south while shooting a handgun at the victim. WIT #2 stated "**Brandon**" fired approximately 7-8 times. WIT #2 stated she chased the victim and "**Brandon**" and lost sight momentarily as they went around 6818 Cleveland Ave. WIT #2 stated that as she rounded the corner of the residence she observed the victim on the ground and "**Brandon**" was running towards the blue Dodge Charger that he arrived in with **Nolan**. WIT #2 stated after the shooting **Nolan** and **Brandon** entered **Nolan's** Blue Dodge Charger, WIT #2 stated **Nolan** was driving and Neal was in the passenger seat while they fled the area. WIT #2 stated she is a blood relative to **Nolan** and identified a single photograph of **Nolan** as the individual that assaulted her and fled the scene with **Brandon**. WIT #2 stated that she did not know "**Brandon's**" last name but stated he was the brother of **Nolan's** girlfriend and the mother of **Nolan's** child. WIT #2 stated the victim was unarmed.

WIT #3 stated that on 08-25-2018 she was at her residence located at 6816 Cleveland Ave when **Devon Nolan** whom she identified from a single photograph, an additional witness and another black male she described as a dark skinned black male wearing a red shirt arrived in **Nolan's** blue sedan. WIT #3 stated that **Nolan** ran inside the residence and she further stated she believed the police were chasing **Nolan**. WIT #3 stated the unknown black male wearing the red shirt remained outside in the blue sedan. WIT #3 stated she sat on the porch as **Nolan** and another witness ran into the residence. WIT #3 stated she was initially sitting on the front porch but, got up and went to see what the unknown black male sitting in the car was doing. WIT #3 stated as she was standing near the unknown black male she observed **Nolan** and the victim come out of the residence fighting. WIT #3 stated she observed the unknown black male with the red shirt get out of the blue sedan and produce a handgun. WIT #3 stated **Nolan** and the victim quit fighting after the victim saw the black male with the handgun and attempted to run away. WIT #3 stated the unknown black male with the red shirt chased the victim to the south through the yard shooting at him. WIT #3 stated the unknown black male was so close that he could not have missed. After the shooting, **Nolan** and the unknown black male ran to **Nolan's** car and fled the scene. WIT #3 was shown a single photograph which she positively identified as **Devon Nolan A.K.A. Uncle Von B/M, 06-29-1985**. WIT #3 stated she knows the black male with the red shirt name to be "**Brandon**" and further stated that **Brandon** is the brother of **Nolan's** girlfriend.

WIT #4 stated that on 08-25-2018 she along with another witness and her uncle **Devon Nolan** traveled to North Kansas City/Riverside area to pick up the victim who had been arrested earlier in the evening. WIT #4 stated while she and the others went to pick the victim up an individual named **Brandon** who arrived with **Devon Nolan** stayed behind with the victim's mother at her residence located at 6816 Cleveland Ave. WIT #4 stated after picking up the victim they returned to 6816 Cleveland Ave. WIT #4 stated she was in the bathroom when she heard a series of gunshots and ran outside. WIT #4 stated that she observed her uncle **Devon Nolan** and an individual she identified as **Brandon** fleeing the area in **Nolan's** blue vehicle. WIT #4 stated she did not observe the shooting however, did state that the victim did not possess a firearm

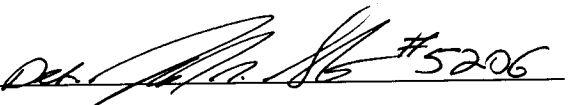
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and was aware that **Brandon** had one because she had handled the weapon earlier in the evening. WIT #4 stated she has known Brandon for approximately 8-9 years and further stated that he is the brother of Devon Nolan's girlfriend and mother of his child. WIT #4 was shown a single photograph which she positively identified as **Brandon Neal B/M 07-08-1988** the individual that arrived with **Devon Nolan** and was the **Brandon** that she was referring to in her statement.

On 08-25-2018 at approximately 0522 hours, after a vehicle pursuit **Devon Nolan** was taken into custody at 7th Street Traffic Way and Rainbow Boulevard in Kansas City, Wyandotte County, Kansas and transported to Wyandotte County Correctional Facility. On 08-25-2018 at approximately 1715 hours, detectives contacted **Nolan** in the Wyandotte County Correctional Facility. **Nolan** was advised of his Miranda Rights which he waived stating that he wanted to speak with detectives. **Nolan** stated he had picked up **Brandon Neal B/M 07-08-1988** earlier in the day and gone over to 6816 Cleveland Ave. **Nolan** admitted he had been drinking and further admitted that he along with several other family members learned that the victim had been arrested in Riverside and that he needed a ride home. **Nolan** stated he went get the victim and returned to 6816 Cleveland Ave. **Nolan** stated he left the residence to go get gas but, as he went to the gas station believed that the victim's mother had taken his debit card. **Nolan** stated he returned to the residence and became involved in an argument with the victim and his mother which turned physical. **Nolan** stated the fight moved from the residence to the front lawn. During the course of the fight **Nolan** stated he heard several gunshots. **Nolan** stated he did not observed Neal actually pulling the trigger but, stated **Neal** was the only person who was armed and shooting at the scene of the homicide and specified that nobody including the victim had a firearm at the time of the homicide. **Nolan** admitted he and Neal fled the scene in his blue Dodge Charger. Nolan stated he drove his vehicle while **Neal** was seated in a left rear passenger seat as they fled the scene. **Nolan** stated that at some point after he fled the scene, he instructed **Neal** to exit his vehicle but, was unable or unwilling to tell detectives where he dropped **Neal** off. **Nolan** was shown a single photograph of **Brandon Neal B/M, 07-08-88** which he positively identified as the individual that shot and killed the victim. Nolan stated he has known Neal for approximately 13 years.

At the scene of the homicide detectives located several shell casings in a linear pattern leading to the area in which the victim's body was located.

Printed Name Detective Mark Slater #5206 Signature 

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

Judge

Circuit Court of _____ County, State of Missouri.