

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

POLICE NO. :	19-031597
PROSECUTOR NO. :	095452440
OCN:	

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
	)	
CARL L. FARNSWORTH JR.	)	
3802 Garfield Ave.	)	CASE NO. 1916-CR
Kansas City, MO 64124	)	DIVISION
DOB: 10/17/1992	)	
Race/Sex: B/M	)	
	)	
DEFENDANT.	)	

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840905.0)

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 April 30, 2019, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Dwayne Sutton caused the death of Dwayne Sutton 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.

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 April 30, 2019, 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 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. 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.

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 April 30, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed a silver .40 caliber handgun, a firearm, and on march 1, 2016, the defendant was convicted of the felony of Possession of a Controlled Substance in the Circuit Court of Jackson County, Missouri.

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.

Count IV. Resisting/interfering With Arrest For A Felony (575.150-001Y20174801.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo, committed the **Class E Felony of Resisting an Arrest**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about April 30, 2019, in the County of Jackson, State of Missouri, law enforcement officers, were making an arrest of defendant for

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Murder in the Second Degree, and the defendant knew or reasonably should have known that the officers were making an arrest, and, for the purpose of preventing the officers from effecting the arrest, resisted the arrest of defendant by fleeing from the officers.

The range of punishment for a class E 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 four (4) 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.

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/ Jordan R. Bergus

Jordan R. Bergus (#64729)
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WITNESSES:

1. [REDACTED]
64106
2. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
3. DET Jason C. Findley, 1125 Locust, Kansas City, MO 64106
4. PO Cody J. Halterman, 1125 Locust, Kansas City, MO 64106
5. DET Heather D. Leslie, 1125 Locust, Kansas City, MO 64106
6. DET James H. Price, 1125 Locust, Kansas City, MO 64106
7. [REDACTED]
8. PO Nicholas S. Simons,
9. Dwayne Sutton, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
10. DET Timothy R. Taylor, 1125 Locust, Kansas City, MO 64106

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11. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 05/01/2019

CRN: 19-031597

I, Detective Jason Findley #5439, of the Kansas City, Missouri Police Department
(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 04/30/2019, at I435 and Eastwood Trafficway in
(Date) (Address)

Kansas City, Jackson Missouri Carl Farnsworth
(County) (Name of Offender(s))

b/m, 10/17/1992 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

Murder II & Armed Criminal Action

On 04/30/2019, at 1855 hours, Officers of the Kansas City, Missouri Police Department were dispatched to 4009 Blue Ridge Cutoff on a reported Shooting. Upon arrival officers located the victim deceased in a black Mitsubishi sedan suffering from a gunshot wound. The Jackson County Medical Examiner's Office ruled the death a homicide.

While en route, dispatch broadcast a suspect description and information as to the direction the suspect had fled, which was towards a Burger King restaurant near the dispatched location. When officers arrived on the scene, they observed a male, matching the description provided by the witness to dispatch, in Burger King. After a short foot pursuit the suspect, later identified as Carl **Farnsworth** (b/m, 10/17/1992), was taken into custody by officers and transported to East Patrol station for booking.

The witness was transported to Police Headquarters and provided a formal statement. She stated she had picked up the victim and **Farnsworth** from a motel near 63rd St and 350 Hwy. She described **Farnsworth** as acting "Crazy" and "Erratic" and "Higher than anyone" she had ever seen. **Farnsworth** was sitting in the front seat, with his back to the dashboard, saying someone had stolen his money. She then heard the victim say that no one had taken his money and was attempting to calm Farnsworth down. At one point she looked in the rear view mirror and saw the victim shrug his shoulders, while looking back at her and apologizing for the actions of **Farnsworth**. The witness then turned up her radio in order to not hear **Farnsworth** talking. While in the area of I-435 and Eastwood Trafficway she felt a compression and her right ear began ringing. She looked in the rearview mirror and saw blood coming from the face of the victim. She then looked at **Farnsworth** and saw him holding gun and waving it around. She asked **Farnsworth** what happened to which he began yelling "He shot me in the back of the head first". The witness immediately called 911 and drove to 4009 Blue Ridge Cutoff, where **Farnsworth** gave her the firearm he had and she saw him flee towards Burger King. During the

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course of the interview the witness was shown a photographic line-up, at which time she identified **Farnsworth** as the person in the front passenger seat of her vehicle.

Surveillance video from 4009 Blue Ridge Cutoff show the vehicle that the witness, the victim and **Farnsworth** arrived in, pulling up to a pump and parking. **Farnsworth** then exits the vehicle and can be seen moving around the area quickly and with erratic actions. **Farnsworth** can be seen walking into the front door of Burger King.

It should be noted that there were no injuries to **Farnsworth** that would match those caused by being shot by the victim, like he claimed to the witness.

A search of the witness's vehicle revealed a silver .40 caliber handgun in the front seat and a spent .40 caliber shell casing under the front passenger seat. There was no damage in the vehicle consistent with damage caused by gun fire. A black 9mm handgun was located in the back seat near where the victim was sitting. Responding KCFD Personnel were interviewed and stated they did not observe a handgun in the back seat until the moved the victim to take life saving measures.

During the body exam it should be noted the Jackson County Medical Examiner's Office determined the victim was shot within two and one half to three feet, due to stippling left on the victim.

On 05/01/2019, at 0900 hours, Detectives responded to the Jackson County Detention Center in an attempt to interview **Farnsworth**. Due to his actions and apparent intoxicated condition he was not questioned.

A computer check of **Farnsworth** showed he is a convicted felon for Possession of a Controlled Substance, with a guilty plea entered on 03/01/2016; see case number 1516-CR03263-01.

Printed Name Det. Jason Findley #5439 Signature /s/ Det. Jason Findley 5439

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

Judge

Circuit Court of _____ County, State of Missouri.