

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

POLICE NO. :	KC19041444
PROSECUTOR NO. :	095453110
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
SABRIA S. NIXON)	
3933 Wabash Ave.)	CASE NO. 1916-CR
Kansas City, MO 64130)	DIVISION
DOB: 01/25/1990)	
Race/Sex: B/F)	
)	
)	
)	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 June 4, 2019, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Destiny Brooks caused the death of Destiny Brooks by shooting her, and defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Destiny Brooks as a result of the perpetration of the class E felony of unlawful use of a weapon under Section 571.030.1(4), RSMo, committed by defendant.

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 571.015.1, RSMo, in that on or about June 4, 2019, in the County of Jackson, State of Missouri, the defendant is guilty of the felony of murder in the second degree charged in 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.

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 June 4, 2019, in the County of Jackson, State of Missouri, the defendant knowingly possessed a handgun, a firearm, and on or about March 16, 2018, the defendant was convicted of the felony of domestic assault in the second degree 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.

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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/ Jamie K. Hunt
Jamie K. Hunt (#50401)
Assistant Prosecuting Attorney
415 E. 12th Street
Kansas City, MO 64106
(816) 881-4622
jhunt@jacksongov.org

WITNESSES:

1. DET Alane M. Booth, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 6/5/19

CRN: 19-41444

I, Det. Alane Booth #4105
(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 6/4/2019, at 11th and Prospect Av in
(Date) (Address)

Kansas City, Jackson Missouri Sabria S. Nixon
(County) (Name of Offender(s))

b/f, 1/25/90, 5'8", 170lbs committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 6/4/19 at approximately 1432 hours, members of the Kansas City Missouri Police Department responded to the area of 11th and Prospect Av, Prospect Plaza Park, Jackson County, Kansas City, Missouri, 64127, in regard to a shooting. Upon arrival, officers discovered an unresponsive black female, later identified as Destiny Brooks, b/f, 4/24/86, 5'8", 150lbs, lying in the park with apparent gunshot trauma. She was transported by EMS to an area hospital but was pronounced deceased. The death was ruled a homicide by the Jackson County Medical Examiner's Office. The victim was shot through the left chest and the bullet exited her upper left back. The Medical Examiner reported there was no evidence of close or intermediate range of fire.

Officers discovered (three) .380 shell casings at the scene near the playground within the park. A witness responded to the park after they had arrived and provided two more shell casings, also .380 caliber, to an officer at the perimeter of the crime scene tape. The two casings had reportedly been removed from the scene prior to officers arriving.

A witness was contacted at the scene and described two black females running northbound from the park after the shooting and ran to an apartment complex at 8th and Chestnut. Sabria Nixon, b/f, 1/25/90, with the documented moniker of "Oreo" and another b/f, matching the descriptions provided by the witness were arrested the afternoon of 6/4/19 at 2654 E 8th St. associated with Apartment #2. Both were placed on Investigative Holds. Nixon who has a heavier build was arrested wearing a white t-shirt and her female associate, with a slender build, was arrested wearing an orange top and black shorts.

A Witness waived down a police officer for assistance and stated his friend (Destiny) had been shot in the park and needed help. The Witness stated "Oreo" was the shooter and she lived in an apartment at the corner of 8th & Chestnut. The witness described the apartment building as the only apartment building at the corner of that intersection. The witness stated he, the victim (Destiny), and her husband whom he identified by his moniker were together in the area of Independence & Prospect on 6/4/19. During that time, Destiny and her husband wanted to walk to the park located at 11th & Prospect to look for a bag she left behind. Once at the park, the witness stepped across the street to speak with a friend. The witness stated he was then alerted to a fight in the park involving the victim, "Oreo," and a third female he identified by name. The third female identified by the

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Witness was the same female taken into custody with Sabria Nixon at 2654 E 8th St. The Witness stated he ran over to break up the fight between them. As he approached, the female associated of Sabria ran away. The witness stated it appeared to him that the fight was over and he was yelling at "Oreo" (Sabria Nixon) to walk away and leave. He stated as he continued to yell at "Oreo" and direct her away from the victim, "Oreo" began digging in her purse. She then pulled out a gun and started shooting. The Witness described feeling a bullet fly past his shoulder. When he turned around, he observed Destiny on the ground. The Witness stated he had known "Oreo" for approximately 7 months, had been to her apartment on several occasions and met some of her family. The Witness was shown single color photographs of both Sabria Nixon, b/f, 1/25/90, and her b/f associate and the Witness positively identified the photo of Nixon as "Oreo," the shooter.

Another Witness was interviewed by investigators who stated he and the victim (Destiny) were in the park at 11th and Prospect when two black females approached them. He identified one of the females by name, as the aforementioned associate of Nixon, and described her as tall, thin, and wearing a white shirt. Brown described the other female as tall, heavy set, and wearing an orange shirt. Brown stated the thin female in the white shirt whom he mentioned by first name, walked in front of the victim and the heavier female in the orange shirt walked behind the victim and both began fighting the victim. The Witness stated the victim fought back and was able to gain the upper hand over both of these females. The Witness stated during the struggle, he intervened and pulled both of the females off the victim at separate times. He said the fight had ended and he and the victim were walking away when the female in the orange shirt pulled a gun from her purse and began firing at them. He stated the victim was struck once in the back and he pointed out a hole in his jeans where a bullet had passed through, but he was uninjured. Brown stated he called 911 from his cellphone. A line-up will be shown to this Witness when a current image of Nixon is available.

A third Witness was interviewed by investigators who stated while in the park, a black female described by the Witness as "Oreo" with a heavy set build, and approximately 35 years old who moved to 8th and Chestnut approximately 3 months ago. The Witness described "Oreo" and "Oreo's" female friend she mentioned by name walked into the park at 11th and Prospect Av from the west. The Witness described her familiarity with "Oreo" and specifically described how "Oreo" had identified herself to the Witness approximately three days prior to the shooting as "Oreo." The Witness described how "Oreo" and the other black female were being loud as they approached the victim and when she turned to look, she saw the three of them fighting which lasted approximately 6 to 7 minutes. The Witness stated after the fight ended, "Oreo" took 5 to 7 steps away and then pulled a black handgun out of her purse. "Oreo" held the gun near her hip and then turned back toward the victim and fired 4 to 5 times. The Witness described "Oreo" was approximately 8 to 10 feet away when she shot at the victim. The Witness stated when "Oreo" discharged the gun, the victim was gathering herself and fixing her hair that was messed up during the altercation. After "Oreo" fired the gun, she and her female associated left on foot northbound on Prospect Av. The Witness was shown two single color photos of "Oreo" (Sabria Nixon) and Nixon's associate whom she knew by first name basis. The Witness positively identified the associates photo, but when she observed the only available photo of Nixon dated February 2017, which shown Nixon with a full head of braids (not consistent with Nixon's current hairstyle), the Witness stated that might be "Oreo" but she's never seen "Oreo" with braids, and requested the detective get a photo of her without braids.

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Nixon's associate was interviewed after she waived the Miranda Waiver rights. The associate identified single color photos of the victim, Sabrina Nixon, b/f, 1/25/90, and two other Witnesses interviewed by investigators as being present at the time of the shooting in the park at 11th and Prospect Av. I advised the associate the victim had been shot, but did not disclose she had died. The associate described how she had a disturbance with the victim and another unknown female earlier on 6/4/19, between approximately 0930-1200 hours, in the area of 9th and Prospect Av, but there was no physical confrontation, and she had resolved the conflict prior to seeing the victim in the park in the afternoon at 11th and Prospect Av. The associate described how upon seeing the victim, Nixon was encouraging her to fight the victim. The associate stated Nixon was struck and knocked to the ground by a male she identified by name as being present (previously interviewed). The associate didn't describe the victim as fighting directly with she or Nixon, and didn't believe the victim was trying to fight with her (the associate) because they had resolved their conflict earlier. The associate described how Nixon got up off the ground and reached into the purse and pulled out her gun and fired multiple times. The associate stated Nixon must've felt like she needed to shoot, but the associate stated she didn't need to. The associate stated both she and Nixon fled the area northbound on foot after the shooting and responded to Nixon's apartment at 2654 E 8th St. The associate initially stated she was wearing a white tank top that morning, then changed into an orange shirt and Nixon was wearing a white t-shirt at the time of the shooting. Later in the interview the associate stated she was wearing a white tank top at the time of the shooting but changed into an orange shirt after she returned to the apartment after the shooting. The associate described Nixon had the gun for approximately two weeks prior to the shooting. The associate stated Nixon left the apartment with the gun after they returned to the apartment after the shooting, and she assumed she gave it to someone.

On 6/5/19 Nixon agreed to speak with investigators after waiving the Miranda Wavier rights. Nixon identified single color photos of the victim, her slender black female associate, and identified the two single color photos of two male Witnesses by name, one of them being the victim's boyfriend. She confirmed they were present at the time of the shooting. Nixon stated she was with her female associate in the park at 11th and Prospect Av on 6/4/19 and was jumped by the victim and her boyfriend. She stated she was scratched, and pointed out scratches on the back of her upper right shoulder/neck area. She stated one of the males she identified by name (not the victim's boyfriend) knocked her to the ground and kicked her in the head, and the victim was pulling her hair. Nixon confirmed she physically assaulted the victim as well. She stated she got back up on her feet and retrieved a .380 handgun from purse and began firing. She confirmed she was mad when she fired the gun. She stated she fired the gun several times but didn't intend to hurt anyone. She described when she fired the gun the victim and her boyfriend were standing further from her than the distance from the back wall of the interview room to the door of the interview room which is approximately 8'2". Nixon stated she had the gun for the past two weeks, but stated one of the males left with her gun after the shooting.

Nixon was convicted on March 16th, 2018 of Domestic Assault Class D felony in the 2nd degree, 1716CR00817-01.

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Printed Name Det. Alane Booth #4105 Signature /s/ Det. Alane Booth #4105

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

Judge

Circuit Court of _____ County, State of Missouri.