


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

POLICE NO. :	19-002913
PROSECUTOR NO. :	095453467
OCN:	

STATE OF MISSOURI,)	
	PLAINTIFF,)
vs.)	
)	
JACOB T EVERSON)	
1732 Topping Avenue)	CASE NO. 1916-CR
Kansas City, MO 64127)	DIVISION
DOB: 06/19/1995)	
Race/Sex: B/M)	
)	
	DEFENDANT.)

COMPLAINT

**Count I. Murder 2nd Degree - Felony Murder - During Perpetration/attempted
Perpetration/flight From Perpetration Of A Felony, A Person Dies
(565.021-003Y19840999.0)**

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 January 11, 2019, in the County of Jackson, State of Missouri, Joseph Mason was killed by being shot as a result of the attempted perpetration of the Class A Felony of Robbery in the First Degree under Section 570.023, RSMo committed by the defendant, either acting alone or purposefully in concert with another, on or about January 11, 2019, in the County of Jackson, State of Missouri.

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 January 11, 2019, in the County of Jackson, State of Missouri, the defendant committed 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. Robbery - 1st Degree (570.023-001Y20171207.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.023, RSMo, committed the **Class A Felony of Robbery in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about January 11, 2019, in the County of Jackson, State of Missouri, the defendant, either acting alone or purposefully in concert with another, forcibly stole marijuana in the possession of Joseph Mason, and in the course thereof defendant was armed with a deadly weapon.

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.

State vs. Jacob T Everson

Count IV. 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 January 11, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of Robbery in the First Degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Robbery in the First 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.


State vs. Jacob T Everson

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/ Joseph R. Van Amburg
Joseph R. Van Amburg (#64207)
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WITNESSES:

1. 
64106
2. DET Timothy M. Fitzgerald, 1125 Locust, Kansas City, MO 64106
3. DET Daniel W. Frazier, 1125 Locust, Kansas City, MO 64106
4. PO Shane Johnson, 1125 Locust, Kansas City, MO 64106
5. Joseph Mason, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
6. DET Kristofer R. Oldham, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 06-27-2019

CRN: 19-2913

I, Detective Tim Fitzgerald #5492 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 01-11-2019, at 1123 Hardesty Ave. # 3 in
(Date) (Address)

Kansas City, Jackson Missouri Jacob T. Everson
(County) (Name of Offender(s))

R/S: B/M DOB: 06-19-1995 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 01-11-2019 at 2038 hours Officers from the Kansas City Missouri Police Department were dispatched to **1123 Hardesty Avenue, Kansas City, Jackson County, Missouri** on a reported sound of shots. Upon arrival, they found the victim lying unresponsive inside his apartment and suffering from apparent gunshot wounds. Medics responded to the scene and pronounced the victim dead. The victim was transported to the Jackson County Medical Examiner’s Office where his death was ruled a homicide.

A witness was contacted who was at the scene of the homicide when the homicide occurred. She advised she was in the bedroom of the apartment when someone knocked on the front door and the victim opened the door as if he was expecting someone. At that time, she heard two gunshots from the front door and observed the victim holding the front door closed while the suspects were attempting to gain entry into the apartment. The victim then ran to the bedroom where she was hiding and attempted to keep the bedroom door closed by bracing himself against it. She heard the voices of two black males on the other side of the bedroom door telling the victim to give them the money. While the victim struggled to keep the bedroom door closed, the door broke causing the victim to fall. One of the black males then shot the victim in the head. The suspects then fled the scene.

An investigation of the crime scene revealed two 9mm shell casings in the hallway outside the front door of the apartment. An additional .45 caliber shell casing was lying just outside the bedroom inside the apartment. The bedroom door was broken and lying on top of the victim. A glass jar with apparent marijuana residue, two digital scales, several clear plastic bags, and a large amount of marijuana residue were found in the apartment. However, no significant amounts of marijuana were found inside the apartment.

The bedroom door that was broken and lying on top of the victim was recovered and transported to the Kansas City Police Crime Laboratory where it was processed for latent fingerprints. Three prints of value for identification were developed from the bedroom door. All three of those prints were identified to [REDACTED] B/M 08-21-1998.

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On 02-03-2019 a Taurus 709 Slim 9mm handgun bearing the serial number TJT97774 was recovered from the pants pocket of [REDACTED] W/M 03-16-2001 during a pedestrian check. That handgun was determined to have fired the two 9mm shell casings found at the scene of the homicide. It should be noted that [REDACTED] is of Asian descent.

A search warrant for [REDACTED] Facebook account was obtained and the data from Facebook was subsequently reviewed. The data contains conversations in which [REDACTED] is discussing committing lashes, which I know to be a term for robberies. [REDACTED] is very active on the account, but there is a gap in the activity on 01-11-2019 between 1830 hours and 2218 hours. Furthermore, there are several photographs of [REDACTED] with various firearms. Specifically, there is a video of a handgun that was sent by [REDACTED] in a message on 12-18-2019 in which he states "Enjoying my new toy". The serial number on the handgun in that video is visible and it is TJT9774 which is the same serial number on the 9mm handgun that was recovered and determined to have fired the two 9mm shell casings found at the scene of the homicide. That same video of the handgun was sent by [REDACTED] in a message on 01-11-2019 less than two hours after the homicide. In that message, [REDACTED] is attempting to sell a Taurus 709 slim 9mm handgun to a third party by the name of "Christian". The photograph attached to "Christian" is a male of Asian descent.

On 02-17-2019 an unrelated shooting occurred at 1732 Topping Avenue and a search warrant was executed at that residence. Five firearms were located inside the residence to include a 45 caliber Taurus G2C handgun bearing the serial number NHY88363. That handgun was determined to have fired the .45 caliber shell casing found at the scene of the homicide. When the search warrant of 1732 Topping Avenue was executed, there were three brothers at the residence who were determined to be the residents. Those three brothers are [REDACTED] B/M 10-23-2000, [REDACTED] B/M 06-13-1992, and **Jacob T. Everson B/M 06-19-1995**.

Search warrants for the Facebook accounts belonging to **Jacob Everson** and [REDACTED] were obtained and the data was received from Facebook. A review of [REDACTED] Facebook data revealed a conversation on 01-15-2019 (four days after the homicide) with the Facebook account belonging to [REDACTED]. In the conversation, [REDACTED] states "Jacob froze up" and [REDACTED] states "that nigga probably wasn't expecting that shit to happen". [REDACTED] then states "I'm just a real demon, this killing and lashing shit in my blood". The conversation changes to the topic of gas, which I know to be a term for marijuana. [REDACTED] states "you need to just throw it away or smoke it, I sold 15 grams for a bill". The conversation again changes to a handgun and Bivens states "Zach just dumb and i gotta buy that 45 from him cuhs if he get caught wit that I'm going down".

A review of **Jacob Everson's** Facebook data revealed photographs of himself and [REDACTED] with firearms. There are conversations between **Jacob Everson** and [REDACTED] about committing lashes. There is a conversation on 01-10-2019 at 0058 hours (one day prior to the homicide) in which [REDACTED] states "we can hit a lick tomorrow or sum for gas money and sum money in our pockets". There is a conversation on 01-14-2019 at 1851 hours (three days after the homicide) in which Bivens asks **Jacob Everson** "Y'all sold the goas or smoked it?" and **Jacob Everson** responds "We sold a few Gs". There is a conversation on between **Jacob Everson** and [REDACTED] on 01-21-2019 at 1904 hours in which they are talking about doing a lash and [REDACTED] states "I might got some shit for us to do but you ain't got bullets for the chop. Or ask zack to use that .45 again."

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On 06-13-2019 I received a CODIS report stating a match occurred between the DNA profile from [REDACTED] B/M 06-13-1992 and the DNA profile from the swab of the two 9mm shell casings found at the scene of the homicide.

On 06-26-2019 [REDACTED] and **Jacob Everson** were arrested transported to Police Headquarters for questioning. [REDACTED] agreed to speak with detectives but denied any involvement in the homicide. Jacob Everson agreed to speak with detectives and initially denied any involvement in the homicide. However, after being confronted with the evidence implicating his involvement, he stated he and [REDACTED] went over to the victim's apartment so they could rob the victim. He and [REDACTED] went to the front door the victim's apartment and they both had handguns out. He was holding a .45 caliber handgun and [REDACTED] was holding a 9mm handgun. When the victim answered the front door, a struggle ensued between the victim and [REDACTED] and [REDACTED] shot the victim twice the stomach. The victim ran inside the apartment. [REDACTED] took the .45 caliber handgun he was holding and chased the victim. [REDACTED] shot the victim with the .45 caliber handgun. [REDACTED] then gave the .45 caliber handgun back to him. [REDACTED] took some marijuana from the victim's apartment and they went back to his residence.

Printed Name Detective Tim Fitzgerald #5492 Signature /S/ Detective Tim Fitzgerald #5492

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

Judge

Circuit Court of _____ County, State of Missouri.