

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

POLICE NO. :	19-058769
PROSECUTOR NO. :	095454131
OCN:	

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
	)	
MARIO J MARKWORTH	)	
1117 Hardesty Ave., Apt. 1	)	CASE NO. 1916-CR
Kansas City, MO 64127	)	DIVISION
DOB: 10/25/1996	)	
Race/Sex: B/M	)	
	)	
DEFENDANT.	)	

COMPLAINT
WARRANT REQUESTED

Count I. Murder 2nd Degree (565.021-001Y19840904.0)

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 6, 2019, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Kevin Eugene Waters by striking him with an axe.

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 (571.015-001Y19755299.0)

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 6, 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

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committed the foregoing felony of Murder in the Second Degree by, with and through, the knowing use, assistance and aid of a dangerous instrument.

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. Murder 2nd Degree (565.021-001Y19840904.0)

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 6, 2019, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Michael F Mclin by striking him with an axe.

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 IV. Armed Criminal Action (571.015-001Y19755299.0)

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 6, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count III, 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 dangerous instrument.

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

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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/ Daniel Nelson

Daniel Nelson (#53885)
Assistant Prosecuting Attorney
415 East 12th Street
11th Floor
Kansas City, MO 64106
(816) 881-3372
DMNelson@jacksongov.org

WITNESSES:

1. DET Alane M. Booth, 1125 Locust, Kansas City, MO 64106
2. PO Brian Caniglia, 1125 Locust, Kansas City, MO 64106
3. DET Donna M. Drake, 5301 E. 27th Street, Kansas City, MO 64127
4. DET Rodney E. Haney, 1125 Locust, Kansas City, MO 64106
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED] Pamela Owens, 1125 Locust, Kansas City, MO 64106
9. DET Darin K. Penrod, 1125 Locust, Kansas City, MO 64106
10. DET Christopher S. Smith,
11. Kevin Eugene Waters, 629 S Crysler Ave, Independence, MO 64052
12. DET Jeremy D. Wells, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 8/7/2019

CRN: 19-58769

I, Det. Donna Drake #5573
(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 or about 8/6/2019, at 5700 Winner Rd in
(Date) (Address)

Kansas City, Jackson Missouri Mario J. Markworth
(County) (Name of Offender(s))

b/m, 10/25/1996, 5'11", 170lbs committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 08/06/2019 at 0542 hours, members of the Kansas City Missouri Police Department were dispatched to 5700 Winner Rd on an EMS call. Upon their arrival, a witness was contacted who had discovered a deceased male when he arrived that morning to the large rear parking lot of the church located at 5700 Winner Rd. The witness reported that he then called 911. Officers located a deceased black male as indicated by the 911 caller. Police then discovered a second deceased white male several yards away from the deceased black male along the same fence line. The deceased black male was face down with severe head trauma and several defects from apparent sharp force trauma. He had no shirt on, his pants were off, and his underwear was observed below his knees.

The deceased white male, who was fully clothed, also had apparent head trauma and defects from apparent sharp force trauma about his body. He had another apparent injury on the back of his shoulder which appeared to be a bite mark from human teeth. The white male also had apparently severe sharp force injury on both his hands, consistent with defensive wounds. The fence line where the deceased males were both located is at the rear northeast edge of the large parking lot behind 5700 Winner Rd., Sheffield Church, Kansas City, Jackson County, Missouri. The aforementioned fence line was lined with bushy trees and was largely concealed by overgrowth from passersby. The church parking lot was very large. It was void of any vehicles except for a tow truck, which was driven by the reporting party, and a security truck associated with the church. Apparent personal effects were observed near the victims and were also strewn in the parking lot several yards away from the victims in the general direction towards the church. The ground along the fence line between the fence and the paved parking lot appeared to be compacted from regular use and traverse.

Both male victims discovered near the fence line had apparent blunt force head trauma and sharp force trauma. The deaths were determined to be homicides by the Jackson County Medical Examiner. The victims were identified as Michael McLin, b/m, born 9/6/62, and Kevin Waters, w/m, born 8/1/67. They were determined to be transients who are known to be associated with the northeast area of Kansas City, Missouri.

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A witness came forward on the evening of 8/6/19 and provided investigators with the name of an individual who the witness heard confess to the murders of both individuals earlier that day on 8/6/19. The witness identified Mario Markworth from a six person photo line-up comprised of black males of similar appearance. The admissions overheard from Markworth included that he had killed McLin over a dispute involving drugs. The witness reported that Mike (McLin) had apparently snatched a pipe from Markworth's possession which made Markworth angry resulting in Markworth killing Mike (Michael McLin). Markworth also confessed that he killed the other person because he believed he had witnessed the death of McLin. The witness stated that he had observed Markworth with an axe similar to what firemen carry a day earlier (8/5/19). The witness stated that Markworth stated he had also stabbed the victims.

On 8/7/2019, Mario Markworth was taken into custody and transported to 1125 Locust St. Markworth was taken into custody with items that included an axe with apparent blood on it, and a debit card issued to Michael McLin. The location where Markworth was taken into custody was an address within the Greenleaf Apartments, 1123 Hardesty Ave., Kansas City, Jackson County, MO. Markworth was read his Miranda Waiver Rights. Markworth stated he understood his rights and provided a statement.

Markworth stated that he was in the area of the rear church parking lot in the company of McLin, whom he referred to as Uncle Mike, who he said was not a blood relation. Markworth stated that they agreed to "play with each other," referring to sexual interaction. Markworth stated he was naked and Uncle Mike's pants were off when Uncle Mike changed his mind. Uncle Mike started to walk away and Markworth picked him up and dropped him on the pavement. Markworth stated that when Uncle Mike fell, he struck his head on Markworth's axe, which he said was lying on the ground. Markworth stated that he was scared Uncle Mike was going to tell someone Markworth knows as to what happened, so Markworth then struck Uncle Mike approximately four times in the head with the axe. Markworth stated that Uncle Mike wasn't moving when he went to get rid of Uncle Mike's white tennis shoes. Markworth stated when he was trying to hide the shoes he observed a white male hidden along the fence line who was apparently awakened by what happened. Markworth asked him "Did you see that?" Markworth said he replied, "No, I'm just sleeping." Markworth then struck the male with the axe. Markworth stated after he struck the man the first time, the man tried to grab the axe. Markworth bit him in the back in an attempt to gain full control of the axe and then gained control of the axe and struck him again multiple times.

Markworth stated he had never seen Waters before. Markworth also said Waters had nothing to do with it. Markworth was shown a single photograph of Waters and confirmed that was the individual he had struck in the back of the head. Markworth stated he was raised in a Christian home and knows right from wrong and knows his actions were not right.

I am requesting a warrant be issued in this case for the following reasons. The lead charges are Class A felonies punishable by up to life in prison. He used a weapon, an axe, in both murders. When he was arrested the next day, he was wearing a backpack containing an axe with apparent dried blood. Based on the Markworth's actions described above, he poses a serious risk to the safety of the community.

Printed Name Det. Donna Drake Signature /s/ Det. Donna Drake #5573

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

Judge

Circuit Court of _____ County, State of Missouri.