

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

POLICE NO. :	KC20015257
PROSECUTOR NO. :	095457922
OCN:	

STATE OF MISSOURI,

PLAINTIFF,)

VS.

DEVON L CARTER

7905 Corona Ave

Kansas City, KS 66112

DOB: 03/01/1995

Race/Sex: B/M

DEFENDANT.)

COMPLAINT
WARRANT REQUESTED

Count I. Accessory Unlawful Use Of Weapon - Subsection 9 - Shoot At/from Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20145213.2)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **class B Felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about February 29, 2020, at 4045 Mill Street, in the County of Jackson, State of Missouri, the defendant, acting alone or in purposeful concert with others, knowingly discharged from a white Chevrolet Tahoe, a motor vehicle.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years. Pursuant to Section 571.030.9, RSMo, for the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony; for any violation by a prior offender as defined in Section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release for a term of ten (10) years; and for any violation by a persistent offender as defined in Section 558.016, RSMo, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release.

Count II. Accessory Armed Criminal Action (571.015-001Y19755213.2)

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 February 29, 2020, in the County of Jackson, State of Missouri, the defendant, acting alone or in purposeful concert with others, committed the felony of unlawful use of a weapon charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 statement(s) of facts filed contemporaneously herewith, 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/ Lauren Whiston
Lauren Whiston (#66185)
Assistant Prosecuting Attorney
415 E. 12th St., 11th Fl
Kansas City, MO 64106
(816) 881-4312
lwhiston2@jacksongov.org

WITNESSES:

State vs. Devon L Carter

1. [REDACTED]
[REDACTED]
2. [REDACTED]
[REDACTED]
3. [REDACTED]
4. DET Chason C. Crowell, 1125 Locust, Kansas City, MO 64106
5. DET Timothy M. Fitzgerald, 1125 Locust, Kansas City, MO 64106
6. DET Daniel W. Frazier, 1125 Locust, Kansas City, MO 64106
7. [REDACTED]
[REDACTED]
8. [REDACTED]
9. [REDACTED] City, MO 64106
10. DET Kristofer R. Oldham, 1125 Locust, Kansas City, MO 64106
11. [REDACTED] Kansas City,
MO 64106
12. DET Ethan Skinner,
13. DET Ephraim Vega, 1125 Locust, Kansas City, MO 64106
14. [REDACTED] MO
64106
15. PO A. Young, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 02-29-2020

CRN: KC20015257

I, Detective K. Oldham # 5166
(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 02-29-2020, at 4045 Mill St in
(Date) (Address)

Kansas City, Jackson Missouri Devon L. Carter B/M, 03-01-1995
(County) (Name of Offender(s))

SSN: _____ committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 02-29-2020 at 0124 hours an Officer with the Kansas City Missouri Police Department was working in an off duty capacity at 4040 Mill St., Kansas City, Jackson County, Missouri, when he observed the occupants of a white Chevrolet Tahoe shooting at a group of individuals on Mill St. just north of Westport Rd. which is contained within the entertainment district known as Westport. Four individuals suffered gunshot wounds and another individual died as a result of being shot during the shooting.

While Officers were responding to the area, additional information was broadcasted via police dispatch that a White Chevrolet Tahoe was leaving the area occupied by multiple black male occupants who were shooting at patrons of the Westport Entertainment district while driving down the street.

An officer en-route to the shooting scene to assist other officers observed a white Chevrolet Tahoe (Lic:070 KSR/KS) backed into a CVS Pharmacy parking spot – 3902 Main St, Kansas City, Jackson County, Missouri – with a tow truck stopped in front of it and multiple females standing around it. The officer conducted a vehicle check at which point multiple bullet holes and spent shell casings with the head stamps of “PPU 40 S&W” and “WIN 40 S&W” were observed in and on the white Chevrolet Tahoe. The Tahoe was unoccupied and the females that were contacted explained that their family member who was the owner of the vehicle called them from his cell phone and asked them to call a tow truck because he had two flat tires at which time they drove to the location to help order a tow.

While officers were towing the Chevrolet Tahoe the owner of the vehicle, Devon Carter, approached them advising he had been in Westport celebrating a birthday. While there, he heard multiple gunshots and realized that his vehicle was struck by bullets as a result of crossfire. As a result, his tires were flattened and which caused him to park it in the CVS parking lot.

Due to information available at the time, Carter was arrested and placed on an investigative hold and transported to the South Patrol Station to be interviewed.

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Detectives obtained surveillance video from Westport Security and during a review, observed the following: Two black males run through a parking lot just north of the Domino's Pizza located at 534 Westport Rd. to a white Chevrolet Tahoe parked in the parking lot. One of the black males is wearing jeans and a white shirt and enters the front passenger seat of the Tahoe. The other black male is wearing a red coat with a white and black shirt underneath and enters the front driver's seat of the Tahoe. The Tahoe then leaves the parking lot north on Mill St. It should be noted the exit to the parking lot is blocked by barricades and the Tahoe drives over a curb to exit the parking lot. The Tahoe is then seen entering the parking garage at 4050 Pennsylvania Ave. When the Tahoe enters the parking lot, a license plate is visible on the rear of the vehicle and it is 070KSR for Kansas. The Tahoe drives through the first level of the parking garage and then the second level of the parking garage as if it is looking for something. The Tahoe then leaves the parking garage and as it is leaving, it stops just before entering Mill St. An unknown individual is seen standing up through the sunroof of the Tahoe while it is stationary and shooting a firearm south down Mill St. The Tahoe then begins to move forward and an unknown individual is seen hanging out of the rear passenger side window of the Tahoe shooting south down Mill St. over the top of the Tahoe. The Tahoe then accelerates north on Mill St. away from the scene of the shooting.

Detectives contacted Carter at the police station and interviewed him. Carter waived his rights and agreed to speak with detectives. Carter stated that he was out in Westport with friends and family celebrating his birthday. He estimated that at least 30 people were in attendance. While at the night club, an altercation broke out with unknown parties around the time his group was leaving. Carter's group was going to go to another night club located in the area of 39th St and Main. As Carter was leaving the club, he observed a vehicle with black males with guns get out of it. At that point he ran to his vehicle, a white Chevrolet Tahoe. Carter stated that he was the only person who drove his vehicle all night. He related that he was trying to leave the area, but was unsure where his mother was who had driven by herself to the party. Across the street from where Carter had parked, was a parking garage that he thought his mother may have parked in. At this time, he drove directly across the street and to the second floor of the parking garage at which point he discovered that she did not actually park in the garage, so he turned around and went back to the exit on the main floor. As he pulled out of the parking garage and back onto the street, he saw a group of black males with guns in front of the gym located along Mill St in Westport. While he was looking at the black males they started shooting. At the same time he heard gunshots coming from behind him. Carter did not recognize anyone else shooting, but he left the area and drove to 39th St and Main where he parked his car due to the fact that it had two front flat tires which he believed were from getting stuck in crossfire during the shooting. Detectives advised Carter that surveillance video in the area showed persons in his vehicle shooting. Carter denied anyone shooting in his vehicle and stated he was very drunk and could not recall exact details. Carter further stated that he did not think anyone was in his vehicle and he could not think of who would have been in his vehicle as well. Carter admitted to coming back to his Tahoe after telling officers that it was his vehicle at which time he was arrested. Carter then asked for an attorney at which time the interview was stopped.

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Additional surveillance video was located that covered the area of 39th St and Main. It captured the following: A few minutes after the shooting occurred Carter's white Chevy Tahoe is observed driving into a store parking lot and backing his vehicle into a parking space. A few seconds later a dark sedan pulls up in front of the Tahoe and multiple people exit the Tahoe appearing to be moving items from the Tahoe into the sedan. The people are difficult to see clearly, but the person who gets out of the driver's seat of the Tahoe is wearing a bright red jacket. Approximately a minute and a half later, a second dark sedan pulls into the parking lot and stops in front of the Tahoe at which time a person from the Tahoe enters the second sedan and others enter the first sedan. Both sedans then leave the Tahoe unoccupied and head northbound on Main St out of sight. No one else is seen entering the vehicle until police arrive and take custody of the vehicle.

It should be noted that while processing the crime scene over 95 spent shell casings were located throughout the area where the shooting occurred. Additionally, in the area where surveillance captured the white Chevrolet Tahoe shooting, detectives recovered over 40 spent shell casings with the head stamp "PPU 40 S&W" and "WIN 40 S&W."

Printed Name Detective K. Oldham # 5166 Signature /S/ Detective K. Oldham # 5166

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

Judge

Circuit Court of _____ County, State of Missouri.