

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

POLICE NO. :	2020-002525
PROSECUTOR NO. :	095458841
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
FRANCESCA A. HERNANDEZ)	
1003 Monroe Ave.)	CASE NO. 2016-CR
Kansas City, MO 64127)	DIVISION
DOB: 09/27/1987)	
Race/Sex: W/F)	
)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Murder 2nd Degree (565.021-001Y19840999.0)

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 between April 16, 2020 and April 17, 2020, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Wayne S. Tindell 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 (571.015-001Y19755299.0)

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 between April 16, 2020 and April 17, 2020, in the County of

State vs. Francesca A. Hernandez

Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count 1, 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. Stealing - Motor Vehicle/watercraft/aircraft (570.030-038Y20172499.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of **Section 570.030, RSMo, committed the class D felony of stealing, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about April 17, 2020, in the County of Jackson, State of Missouri, the defendant appropriated a 2018 Chevrolet pickup truck, a motor vehicle, which property was owned by Wayne S. Tindell, and defendant appropriated such property without the consent of Wayne S. Tindell and with the purpose to deprive Wayne S. Tindell thereof.**

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. Unlawful Possession Of A Firearm (571.070-001Y20175299.0)

State vs. Francesca A. Hernandez

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 17, 2020, in the County of Jackson, State of Missouri, the defendant knowingly possessed a Sig Sauer 9mm, a firearm, and on March 26, 2013, the defendant was convicted of the felony of Theft 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.

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/ Traci A. Stansell
Traci A. Stansell (#41903)
Assistant Prosecuting Attorney
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WITNESSES:

1. DET Erika Albin, 10 NE Tudor, Lees Summit, MO 64086
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. DET Kelly Caster, 1100 SW Smith, Blue Springs, MO 64015
7. [REDACTED]
8. LT Steve Decker, 1100 SW Smith, Blue Springs, MO 64015

State vs. Francesca A. Hernandez

9. SGT Jeremy K. Dickstein, 1100 SW Smith, Blue Springs, MO 64015
10. PO Joshua Haggard, 1100 SW Smith, Blue Springs, MO 64015
11. [REDACTED]
- [REDACTED]
13. SGT Janet Jarvis, 1100 SW Smith, Blue Springs, MO 64015
14. [REDACTED]
- [REDACTED]
16. LT John Kingsolver, 1100 SW Smith, Blue Springs, MO 64015
17. PO Reed Kotake, 1100 SW Smith St., Blue Springs, MO 64015
18. DET Martin Kreissler, 1100 SW Smith, Blue Springs, MO 64015
19. DET Kevin Lange, 1100 SW Smith, Blue Springs, MO 64015
20. [REDACTED]
- [REDACTED] 64015
22. DET Stephen M. Mendoza,
23. Mission Kansas PD,
24. DET Rob Olson, 1100 SW Smith, Blue Springs, MO 64015
25. Mike Palmeiri, Mission Kansas PD,
26. DET Michael Reese, 10 NE Tudor, Lee's Summit, MO 64086
27. DET Steffan I. Roetheli, 1125 Locust, Kansas City, MO 64106
28. SGT Mike Russell, 1100 SW Smith, Blue Springs, MO 64015
29. DET Steven Schmidli, 223 N. Memorial Drive, Independence, MO 64050
30. Charles Sheppard, 205 N. Lexington Street, Harrisonville, MO 64701
31. DET Christopher S Smith,
32. DET Aaron Stone, P.O. Box 392, Blue Springs, MO 64015
33. Wayne S. Tindell, 600 SW South Ave, Blue Springs, MO 64014
34. PO Kate Tipton, 1100 SW Smith, Blue Springs, MO 64015
35. PO Dustin Walters, 1100 SW Smith, Blue Springs, MO 64015
36. DET Caroline Yeager, 1100 SW Smith, Blue Springs, MO 64015

STATEMENT OF PROBABLE CAUSE

CRN 2020-002525

Date: 01-31-2017

I, Detective Ben McRae, a detective with the Blue Springs, Missouri Police Department, upon my oath, and under penalties of perjury, state as follows:

1.) I have probable cause to believe that on 4/17/2020 at approximately 0200 hours, at 600 NE Coronado Drive, Blue Springs, Jackson County, Missouri, Ms. Francesca A. Hernandez, H/F, DOB 01-18-1990, [REDACTED], residing at 1003 Monroe Ave, Kansas City, MO committed one or more criminal offense(s).

2.) The facts supporting this belief are as follows:

On 04-19-2020 hours at 1451 hours **Blue Springs Police Officer Greg Johnston** and **Patrick Beanland** were dispatched to 600 NE Coronado drive (Wal-Mart) on a reported non-breather on the east side of the parking lot. Officers arrived on scene at the same time as Central Jackson County Fire Protection District who pronounced the victim **Wayne S. Tindell** dead on arrival.

Steven Broom and **William Amos** work with Mr. Tindell and he had not shown up to work on Friday 4-17-2020 and was not answering their phone calls, so they went to check on his well-being. Mr. Broom and Mr. Amos found Mr. Tindell lying facedown at the foot of his bed and was cold to the touch with a large amount of blood underneath him. There was one dog in the trailer which Mr. Amos and Broom thought was strange, because Mr. Tindell had two dogs, but was trying to give one away due to the damage it was causing to his trailer.

I was notified by **Blue Springs Police Sergeant Jeremy Dickstein** they had been on a disturbance call involving [REDACTED] at 510 NE 6th St Apt D at approximately 1400 hours. [REDACTED] told **Blue Springs Police Officer Chris Kesler** he had an addiction to methamphetamine and the guy staying in the trailer in the parking lot of Wal-Mart needed to be checked out, because he was dealing meth. [REDACTED] told PO Kesler that the dog he had in his possession was given to him by the owner of the trailer who was determined to be Mr. Tindell.

The Jackson County Medical Examiner later determined Mr. Tindell was killed by a single gunshot wound to the back of the head not consistent with a self-inflicted wound. Part of the bullet was recovered from the victim's head. There was no other injury reported on Mr. Tindell's body.

On 04-19-2020 at 1850 hours I interviewed [REDACTED]. At 1854 hours I read [REDACTED] his miranda warning and he signed stating he was willing to speak with me. [REDACTED] originally told officers the man living in the trailer (Mr. Tindell) was selling meth and he believed he was being held, because of his information that he had in relation to Mr. Tindell having methamphetamine. [REDACTED] was not forth coming at the initial part of the interview, because it involved drug use. Eventually I explained to [REDACTED] that Mr. Tindell was deceased and we were investigating this as a homicide. [REDACTED] had what appeared to be a very genuine reaction of shock and was noticeably upset. I made it clear to [REDACTED] that I was not concerned with his drug use but needed to know what happened when he met Mr. Tindell.

[REDACTED] stated three or four days ago (Thursday 4-16-2020, or Friday 4-17-2020) around lunchtime that he was outside and saw a girl walking down the street and he asked her if he could have a cigarette. She said yes and left and went and got him one and came back a short time later. [REDACTED] stated the female said her

name was, "Frankie" and as they were talking, they decided to go inside and smoke meth. [REDACTED] stated they talked as they were getting high about animals and Frankie said she knew of a dog he could have from a guy that was living in the trailer in the Wal-Mart parking lot. Frankie said the dog was chewing up his trailer and he was looking to get rid of the dog. [REDACTED] said he wanted the dog, so they walked up there together. As they were walking Frankie said she did not want to have sex with the Mr. Tindell and she wanted him there to kind of get in the way, so it didn't happen.

As they got closer to the trailer [REDACTED] stated Frankie left and went inside Wal-Mart, so [REDACTED] knocked on the door and contacted the owner of the trailer, Mr. Tindell, who was in a bath robe and told him he was there about the dog. Mr. Tindell let [REDACTED] inside and after a little bit of discussion about the dog Frankie came back and they all smoked methamphetamine together. [REDACTED] said the night flew by, because he was so high. At some point Frankie pulled out a gun which he referred to as a "girls' gun," it was small and camouflage. [REDACTED] did not have a great knowledge of guns, but how he described it, it sounded like a compact or a sub-compact semi-automatic pistol. [REDACTED] stated the gun made him uncomfortable and he wanted to leave. Around this same time Mr. Tindell and Frankie indicated they wanted [REDACTED] to leave so they could have sex. [REDACTED] took the dog and walked home. [REDACTED] stated as he got home he was so high from the meth that he stayed up talking to the dog all night and lost track of time. After trying to figure out a timeline with [REDACTED] he said this probably all happened on Friday, but he has trouble with memory. [REDACTED] stated his neighbor [REDACTED] had a surveillance system that would have Frankie coming to his house.

[REDACTED] was very concerned about the dog and was uncertain on the time of day or even what day of the week it was. I asked [REDACTED] what all he touched inside Mr. Tindell's camper and he listed some tools and his computer which he attempted to fix for him. I asked [REDACTED] if he would be willing to submit to a buccal swab to have a DNA sample and he stated he would. I filled out a consent to search form with [REDACTED] and went over it with him. He signed the consent form and I administered the buccal swab and later placed it into evidence. This was done inside the interview room and was video and audio recorded just like the entire interview.

Frankie was described as a short, heavy set female, with really short black hair, wearing a blue hoodie with gray on it and camouflage pants. **Detective Rob Olson** and I contacted **Christopher Cunningham** who lives at 514 NE 6th Street Apt. A. Mr. Cunningham is the neighbor of [REDACTED] and has video surveillance on his residence. After reviewing his surveillance on his home it was determined on 4-16-2020 at 1445 hours (according to the timestamp) Frankie was seen walking down the street and towards [REDACTED]'s residence.

With the amount of evidence needing to be collected it was determined the Metro Squad should be activated. On 4-20-2020 the Metro Squad responded to the Blue Springs Police Departments which is comprised of multiple detectives from surrounding police agencies to work as a task force in a homicide investigation. **Kansas City Detective Steffen Roetheli** informed us they were actively working a homicide investigation of very similar circumstances to ours with a suspect named "Frankie." The physical description of the suspect in their investigation matched the Frankie that Zane had described. The suspect in that case was identified as **Francesca A. Hernandez**.

During a review of the Wal-Mart footage Ms. Hernandez is seen going in and out of the trailer all day 4-16-2020 off and on. Mr. Tindell's 2018 Black Chevrolet is not parked there throughout the day. Ms. Hernandez is seen on surveillance footage going inside Wal-Mart at 1427 hours. Then seen walking with a bag towards the trailer at 1429 hours. At 1644 hours Mr. Tindell arrives back in his truck and enters the trailer. Ms. Hernandez and [REDACTED] arrive at the trailer a short time later.

At 2211 hours [REDACTED] is seen leaving the trailer walking south with the dog like he said in his interview. His movements are tracked on surveillance until he goes off camera and crosses RD Mize road continuing south

toward his residence. I spoke with [REDACTED] brother [REDACTED] and he confirmed [REDACTED] remained inside the home for the remainder of the evening "tweaking" and talking to himself. A review of all of the Wal-Mart surveillance footage shows [REDACTED] never goes back to the camper after he takes the dog home and it is Ms. Hernandez and Mr. Tindell alone.

On 04-17-2020 at 0201 hours Mr. Tindells truck is seen turning it's lights on. At 0202 hours it drives north through the parking lot and leaves eastbound on NE Coronado Drive and out of the parking lot. The truck never returns to the area of the trailer prior to the discovery of Mr. Tindells body.

On 4-17-2020 at 0705 hours Ms. Hernandez is seen on video surveillance in Mr. Tindell's truck and inside Phillips 66 at 8301 Truman Rd. Kansas City, Jackson County, Missouri.

On 04-21-2020 at approximately 1500 hours the Kansas City Missouri Police Department took Ms. Hernandez into custody. She was the driver of a white and tan 2004 Oldsmobile Alero MO License HM8-B0Z. Inside the Alero was Mr. Tindell's cellphone which when it was called it rang. The phone also pinged very close to the area. She was with another male party later determined to be [REDACTED] who was also taken into custody. Mr. Tindell's cellphone was in plain view. A search warrant was applied for and executed on the vehicle.

Inside the vehicle driven by Ms. Hernandez was driving was a subcompact green or camouflage Sig Sauer 9mm pistol with one round missing out of the six round magazine very similar to the gun [REDACTED] had described. The firearm was discovered under the floor mat on the driver's side of the vehicle. In the door panel next to the driver's side was the driver's license and social security card of Mr. Tindell. Inside the vehicle was two spent shell casings from a 9mm pistol. Mr. Tindell's credit card was also found inside the vehicle.

Ms. Hernandez was interviewed at the Kansas City Missouri Police Department. She admitted to being at the murder in Kansas City and blamed it on a friend of hers. Ms. Hernandez admitted she was staying in the trailer with Mr. Tindell, but said [REDACTED] is the one that killed him. Ms. Hernandez stated she took the gun, because [REDACTED] was scared.

On 03-21-2016 Ms. Hernandez was convicted of Felony Possession of a controlled substance from an arrest that took place on 9/28/2015. Ms. Hernandez had previously been convicted of Felony Theft on 3/26/2013.

Detective Ben McRae #2041
Blue Springs, Missouri Police Department

/s/ 
Signature