

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 August 19, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count One, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder 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.

Count III. Endangering The Welfare Of A Child Creating Substantial Risk- 1st Degree - 1st Offense - No Sexual Conduct (568.045-005Y20173899.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 568.045, RSMo, committed the class D felony of endangering the welfare of a child in the first degree, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about August 19, 2019, in the County of Jackson, State of Missouri, the defendant knowingly acted in a manner that created a substantial risk to the life, body and health of [REDACTED], a child less than seventeen years of age, by shooting a gun in the direction of [REDACTED].

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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. (>=2017)

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 August 19, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of endangering the welfare of a child in the first degree charged in Count Three, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of endangering the welfare of a child 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.

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Count V. Unlawful Use Of Weapon - Subsection 3 - Discharge Into Home, Motor Vehicle Or Other Transportation Method (571.030-009Y20175213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **class E felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about August 19, 2019, in the County of Jackson, State of Missouri, defendant knowingly discharged and shot a firearm into a dwelling house located at 5200 Sycamore Ave, Kansas City, Jackson County, Missouri.

Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of Section 571.030.1, RSMo, shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms or weapons-related felony offense.

The range of punishment for a class E 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 four (4) 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 VI. 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 August 19, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon discharging into a home charged in Count Five, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon discharging into a home 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

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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/ Kelsey L. Blackwell

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WITNESSES:

1. PO Jacob M. Alexander, 1125 Locust, Kansas City, MO 64106
2. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
3. DET Jason C. Findley, 1125 Locust, Kansas City, MO 64106
4. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
5. DET Heather D. Leslie, 1125 Locust, Kansas City, MO 64106
6. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
7. [REDACTED]
8. [REDACTED] Locust, Kansas City, MO 64106
9. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
10. PO Eric D Stubbs, 1125 Locust, Kansas City, MO 64106
11. DET Timothy R Taylor, 1125 Locust, Kansas City, MO 64106
12. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 05-14-2020

CRN: 19-62968

I, Detective Heather Leslie #5194
(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 08-19-2019, at 5200 Sycamore Ave in
(Date) (Address)

Kansas City, Jackson Missouri Michael D Garrett
(County) (Name of Offender(s))

B/M 01-02-1988 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 08-19-2019 at 1603 hours, officers were dispatched to 5203 Sycamore Ave, Jackson County, Kansas City Missouri in regard to a shooting. While enroute to the call, the address was updated to 5200 Sycamore Ave.

Upon arrival officers observed a female on the front stoop of 5200 Sycamore Ave suffering from a gunshot wound to the chest. They observed the glass front door shattered with bullet holes in the glass. Neighbors were yelling that there were children inside, at which time an officer entered the home through the glass door and observed an infant child () in a walker moving around in the living room area. The officer removed () from the home as other officers were rendering aid to the female victim. Once () was handed over to the calling party, the officers cleared the rest of the house to secure the scene. The female victim was transported to Research Medical Center and was declared dead at 1638hrs.

Detectives responded to the scene and spoke to several neighbors. The calling party/Witness #1 () who lives at () Sycamore Ave stated the victim was outside the house arguing with a black male (later determined to be Michael D GARRETT B/M 01-02-1988) that had arrived as the passenger of a grey or light blue Nissan Altima with temporary tags for about 20 minutes. They described the suspect as wearing a grey hoodie and medical type blue gloves. () said as the victim started to go inside, they heard 5-6 shots. () then saw the suspect walk to the passenger side of the blue or grey Nissan and get into the rear passenger seat. The car then left Southbound on Sycamore Ave and made the first turn to the East onto 52nd terr.

Witness#2, () heard 5-6 gunshots, and went outside and saw a black male with a grey hoodie on walking "nonchalantly" towards a dark colored vehicle. The male had blue "hospital" gloves on and as he was walking to the vehicle, he looked at () as he got into the front passenger seat and the vehicle left Southbound on Sycamore Ave.

Witness#3, () was walking South on Sycamore Ave towards the school when she saw a bluish grey sedan parked on the side of the street she was on (West) so she crossed the street. () heard the Suspect

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and Victim arguing about what the Suspect was wearing. She described the suspect as wearing a grey hoodie and blue "hospital" gloves. As [REDACTED] passed the sedan, the suspect turned and looked at her and she saw that it was a black male. Once [REDACTED] was past the sedan and house, [REDACTED] heard gunshots and saw the Suspect with a gun in his hand walk to the sedan get in and drive past her as she was walking West on 53rd St. [REDACTED] was shown a photo lineup but was unable to make an identification.

Surveillance Video was recovered from a residence on the street and a bluish grey Nissan is seen driving South on Sycamore at 1548hrs towards the direction of 5200 Sycamore Ave.

The mother of the victim ([REDACTED]) arrived and signed Consent to Search for the residence at 5200 Sycamore Ave. [REDACTED] stated the victim has a Full Order of Protection against the father of MG, **GARRETT**. She also stated she had seen **GARRETT** in a smoky grey Nissan Altima with a temporary tag on the Saturday before (August 17th) on Blue Parkway, when **GARRETT**, who was driving, backed up on Blue Parkway to meet up with [REDACTED]. He told her he wanted to see his son. He pointed his fingers at her like he was firing a gun. [REDACTED] then stated she was at home on Sunday (August 18th) when the victim was outside and [REDACTED] heard arguing. She went outside and saw **GARRETT** was there trying to take their infant child out of the victim's hands. [REDACTED] saw the smokey grey Altima with a temporary tag out in front of the house and no one else was in it. She told **GARRETT** he needed to leave and he wasn't supposed to be there and he wasn't taking the infant child either. He told SK she was "next" and he left as the sole occupant of the smoky grey Altima.

Officers conducting surveillance on 08-21-2019, observed a bluish grey Nissan with a temporary tag in the backyard of 7500 E. 102nd St hidden. It should be noted this is the residence of **GARRETT**'s father and a known address for **GARRETT**. The temporary license was 04CEWN MO Temp. It responded through Missouri DOR as a 2009 Nissan Passenger vehicle with VIN 1N4AL21E9C133250. It also responded as issued to **GARRETT** using another known address for **GARRETT** as 6310 Rockhill Rd, Kansas City, MO.

On 08-22-2019, at approximately 2039hrs, while undercover officers who were conducting surveillance on **GARRETT**, they observed a smoky grey Nissan pull out from behind 7500 E. 102nd St and head East on 102nd St. Once marked vehicles were in the area, a traffic stop was attempted. Marked patrol vehicles and uniformed officers attempted to stop the smoky grey Altima with the temp tag and with **GARRETT** driving. The vehicle started driving faster once emergency lights and sirens were activated. The officers lost sight of the vehicle, but surveillance of 7500 E. 102nd St shows the smoky grey Altima returning around 2042hrs, within minutes of the attempted stop, the vehicle drives through the front yard and parks behind the house again. **GARRETT** and another unknown party come around from the back of the house and go inside the residence.

Contact with **GARRETT** has not been made since the homicide. He has not attempted to contact the family for his infant child and he has not attempted to call the victim as her phone was still on for several days after the homicide. The victim and **GARRETT** had multiple conversations via text message and calls in the days leading up to the homicide. The following is sample of over 100 text messages between the victim and **GARRETT** (Son Daddy).

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Saturday August 17th, 2019

VIC: "U can pull up and see your son.

Son Daddy: "On way"

VIC: "Wya"

VIC: "I'm changing my son's name"

VIC: "If you not going to help voluntarily ima put you on child support"

Son Daddy: "You can't I got lawyers"

Son Daddy: "And I but a date on it"

VIC: "Ok I'll just put you on child support since you don't want to be a man"

Son Daddy: "Don't text me"

Son Daddy "This personal"

Sunday August 18th, 2019

Son Daddy: "I'm kill both y'all"

Son Daddy: "For my respect"

Son Daddy "Can't wait to you die say I did that"

Son Daddy S: "For my respect"

Son Daddy: "Aint nobody gonna be at your funeral"

Son Daddy: "I'm gonna over kill you"

Son Daddy: "04/15/91 09/15/19 (04/15/91 is the victim's date of birth)"

The victim rejected 4 calls from Son Daddy on August 19th, 2019 and called Son Daddy three times with the longest one lasting 40 seconds at 1:00PM.

There have been multiple Domestic Violence incidents between **GARRETT** and the victim in the past and violence was a big part of the relationship. Some of the incidents were reported to Police. Some were not reported but family members were aware of the violent relationship and had documented the violence. The victim had a valid Full Order of Protection and **GARRETT** was the respondent. There were two active Domestic Violence cases on **GARRETT**.

A phone order was obtained on **GARRETT**'s phone number, 816-645-1639 and it was shut off from 1451hrs to 1742hrs. This pattern is not consistent with normal usage on his phone records.

Due to the nature of the homicide, it was apparent the victim knew the Suspect and the vehicle described by multiple witnesses matched **GARRETT**'s vehicle.

On 05-13-2020 at 1621hrs, Michael **GARRETT** was taken into custody without incident at his residence of 7500 E. 102nd St, Jackson County, Kansas City, MO.

GARRETT was advised of his rights agreed to talk to detectives. **GARRETT** was asked about his children and he stated he had a daughter who was 1 with a female named [REDACTED] UNK LN. He also stated he has a son with [REDACTED]. He is not aware the whereabouts of his son, but most likely with [REDACTED] mom. When asked if **GARRETT** had been to the address where Sandrina was living, he said yes. When asked if he was there the Saturday or Sunday before the homicide, he said "no" and did not remember the last time he was there.

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GARRETT was shown a series of 5 photographs in the following order, a still shot from the Vivint Video camera located two houses down from the homicide, taken on the day of the homicide of a blue Nissan. **GARRETT** was asked if he remembered owning the car in the picture, he replied "Uh hmm" I stated the it looks different in different lighting but does he remember owning the car and he replied "Yes" The second picture **GARRETT** was shown was of picture taken in the back yard of his residence and he said "Yep" it was his car, and then the third picture was the blue Nissan in the driveway and I asked, there was no verbal response. The fourth picture was of the address of 5[REDACTED] Sycamore, and when **GARRETT** was asked if that was the house he recognized as being the house [REDACTED] and he replied "yep yep". I asked **GARRETT** if she was living there with her mother and he replied "Yes". **GARRETT** was then asked about the above text messages, he acknowledged the text messages and when asked why he never contacted her after death?

GARRETT requested a lawyer. **GARRETT** was transported East Patrol Detention for booking of warrants.

Due to the nature of the suspect's actions, the disregard for the infant child inside the home, the threatening nature he poses to other family members, the detective requests a warrant in lieu of a summons for the offender **GARRETT**.

Printed Name Det. Heather Leslie Signature /S/Det. Heather Leslie

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

Judge

Circuit Court of _____ County, State of Missouri.