

State vs. Kenny T. Moore

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 571.015.1, RSMo. is imprisonment by the department of corrections for a term of not less than three years and not to exceed fifteen years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not less than five years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.2, RSMo. as a second offense is imprisonment by the department of corrections for a term of not less than five years and not to exceed thirty years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less than fifteen years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.3, 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 punishment imposed pursuant to Section 571.015, RSMo shall be in addition to and consecutive 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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building, Resulting In Death Or Injury (571.030-015Y20205213.0)

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 A felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about October 19, 2020, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm at a motor vehicle a blue Toyota Corolla, and as a result of the above described conduct, Rickey Arrington suffered injury or death.

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 (571.015-001Y20205213.0)

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) (571.015.2) (571.015.3), RSMo, in that on or about on or about October 19, 2020, in the County of Jackson, State of Missouri, the defendant 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.

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The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.1, RSMo. is imprisonment by the department of corrections for a term of not less than three years and not to exceed fifteen years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not less than five years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.2, RSMo. as a second offense is imprisonment by the department of corrections for a term of not less than five years and not to exceed thirty years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less than fifteen years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.3, 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 punishment imposed pursuant to Section 571.015, RSMo shall be in addition to and consecutive 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/ Paul M. Conklin III
Paul M. Conklin III (#66958)
Assistant Prosecuting Attorney
415 E. 12th Street
11th Floor
Kansas City, MO 64106
(816) 881-3824
PTConklin@jacksongov.org

WITNESSES:

1. Rickey Arrington, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. [REDACTED] 11, Kansas City, MO 64106
3. PO Richard D. DuChaine, 1125 Locust, Kansas City, MO 64106
4. DET Scott M. Emery, 1125 Locust, Kansas City, MO 64106
5. DET Thomas M. Hammond, 1125 Locust, Kansas City, MO 64106 [REDACTED] Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 10-19-2020

CRN: 20071682

I, Det. Scott Emery #4161
(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 10-19-2020, at 11001 Hickman Mills Dr. in
(Date) (Address)

Kansas City, Jackson Missouri Kenny T. Moore
(County) (Name of Offender(s))

B/M 10-11-1992 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 10/19/2020 at 1105 hours, Officers of the Kansas City Missouri Police Department were dispatched to 11001 Hickman Mills Dr. Kansas City, Jackson County, Missouri, (Mc Donald's) regarding a shooting.

Upon arrival the Victim, Arrington was located and was suffering from a gunshot wound. The Victim was transported to an area hospital and later died of his injuries.

Several damaged vehicles were located in the McDonald's parking lot to include a blue Toyota Corolla, which the victim was in, bearing Missouri License ED8-V2V with twelve bullet impacts in the driver's side. .40 caliber spent shell casings were located in the parking lot.

The video was reviewed at the scene and a dark colored Jeep Cherokee can be seen on video appearing to look at the Victim or his vehicle. Later on in the video a grey Nissan Sentra drives by and parks, shortly after the driver exits his vehicle. As the Suspect approaches the driver's window of the victim's vehicle, a gun can be seen in his hand. The victim's vehicle then begins to reverse and the Suspect shoots at the vehicle. The Suspect leaves his vehicle in the lot and runs towards the south to the dark colored Jeep Cherokee. The Suspect is wearing a grey hooded sweatshirt, with the hood up, ripped light colored jeans and red and white shoes.

On 10/19/2020 at 1109 hours Officers of the Kansas City Missouri Police Department were conducting proactive patrol in the area of E 85th St and Prospect Ave. Dispatch provided information in regard to a black Jeep that was fleeing NB on Grandview Rd from the scene of the shooting. The Officers responded to the area and observed a black Jeep on the south side of train tracks, just to the south of the intersection of E 85th St and Prospect Ave. During this time, a train was headed WB and Officers observed the vehicle to leave the line of traffic going SB on Prospect Ave. The Officers traveled southbound after the train passed and located the vehicle wrecked near 8700 Prospect. Nearby witnesses advised they observed two parties fleeing from the vehicle.

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█ heard the collision and observed two males run south bound on Prospect, one male wearing a grey hooded sweatshirt and the second male was wearing a black jacket. She advised both males threw unknown items into the woods.

█ observed the Jeep wreck and two males flee from the vehicle. One male was armed with a "short barrel AR" and the other male was armed with a pistol. █ further describe the male with the pistol wearing a gray shirt.

Witness's █ and █ stated they overheard the Suspects talking about running from or avoiding the police. Witness █ advised he took a picture of them and watched them leave the construction site headed north to 85th street. The picture was provided to the police by █.

Moore (the suspect) was located and arrested at 3210 East 85th. While being arrested an Officer asked why he was out of breath, he replied, "Because I just got done running from y'all." At the time of his arrest, Moore was wearing a gray t-shirt, ripped light colored jeans and red and white shoes.

Detectives responded to the area of 8700 Prospect, the scene of the wrecked Jeep. Detectives were directed by Officers to the woods where a .40 caliber Glock was located and an AR pistol was located. CST Lewis responded to the area and recovered the firearms and processed the Jeep for evidence.

Detective's interviewed Moore who advised he wasn't at the McDonald's today and asked for a lawyer. Moore was photographed and his clothing recovered. Moore was wearing the ripped jeans and red and white tennis shoes seen in the McDonald's video.

Printed Name Det. Scott Emery Signature /S/ Det. Scott Emery #4161

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

Judge

Circuit Court of _____ County, State of Missouri.