

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT

POLICE NO. :	19-009250
PROSECUTOR NO. :	095451006
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
TIMOTHY R FERNANDEZ)	
Unknown)	CASE NO. 1916-CR
Kansas City, MO 64106)	DIVISION
DOB: 02/24/1977)	
Race/Sex: B/M)	
)	
)	DEFENDANT.

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840905.0)

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 February 5, 2019, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Michael Bryan caused the death of Michael Bryan 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 (571.015-001Y19755213.0)

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 February 5, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in

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Count I, 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.

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/ Bryan O. Covinsky
Bryan O. Covinsky (#47132)
Assistant Prosecuting Attorney
415 E. 12th Street, Fl 7M
Kansas City, MO 64106
(816) 881-3368
BCovinsky@jacksongov.org

WITNESSES:

1. [REDACTED]
2. Michael Bryan, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
3. DET Scott M. Emery, 1125 Locust, Kansas City, MO 64106

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4. DET Thomas M. Hammond, 1125 Locust, Kansas City, MO 64106
5. DET Scott P. Mullen, 1125 Locust, Kansas City, MO 64106
6. DET Hobart D. Price, 1125 Locust, Kansas City, MO 64106
7. DET Brent R. Taney, 1125 Locust, Kansas City, MO 64106
8. DET Daniel G. Thomas, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 02/15/2019

CRN: 19-009250

I, MDet. Brent Taney #4641
(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 02/05/2019, at 1704 Grand Blvd. in
(Date) (Address)

Kansas City, Jackson County Missouri Timothy R. Fernandez
(County) (Name of Offender(s))

B/M, 02/24/1977 committed one or more criminal offense(s).
(Description of Identity)

Murder/ ACA

The facts supporting this belief are as follows:

On 02/05/2019 at 0504 hours, Officers of the Kansas City Missouri Police Department were dispatched to 1704 Grand Blvd. Kansas City Jackson County Missouri in regard to a shooting. Upon arrival, Officers located the victim lying on the sidewalk in front of the business, deceased from an apparent homicide. A witness was contacted at the scene and stated he was outside of the business attempting to purchase a drink when he heard a single gunshot and observed the victim fall to the ground. The witness stated he observed a white male with a black stocking cap and a brown coat, stuff something back into his coat and walk northbound through the parking lot, away from the scene. Detectives were able to obtain surveillance footage from the business. The surveillance footage revealed the victim, an unknown white male and the suspect, standing on the north side of the business talking prior to the shooting. The victim was observed to be wearing dark clothing with a blue back pack. The suspect appeared to be a black male wearing a black jacket, a red or maroon colored hoodie, blue jeans and a green backpack. The unknown white male was observed to be wearing a black stocking cap and a green colored coat. The surveillance footage further revealed the unknown white male walk into the dumpster area, behind a fence while the victim and suspect remained on the north side of the business talking. A couple minutes later, the victim turned his back to the suspect and began to walk toward the front of the business when the suspect pulled a gun from his coat pocket and shot the victim in the back. After the shooting, the suspect turned around and walked northbound through the gas station parking lot. A few seconds later, the unknown white male exited the fenced in area around the dumpsters, looked toward the victim and walked northbound through the parking lot. Further review of the surveillance footage revealed the suspect through a tissue in the parking lot after blowing his nose, approximately twenty minutes prior to the homicide. On 02/06/2019, Detectives responded back to the scene and observed a tissue located on the south side of the parking lot. The tissue was recovered and transported to the crime lab to be tested for a possible DNA profile.

On 02/07/2019, a DNA profile responded back on the tissue recovered from south side of the parking lot. The profile responded back to **Timothy R. Fernandez, B/M, 02/24/1977**. On 02/08/2019 at approximately 1125 hours, Officers were dispatched to 1520 Grand Blvd. Kansas City Jackson County Missouri in regard to a citizen who found a black leather jacket and a green backpack in the alley behind 1520 Grand. The black leather jacket and green backpack were both recovered and transported to the crime lab to be tested for possible fingerprints and DNA.


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On 02/08/2019, Detectives obtained surveillance video from the businesses on 15th Street and Grand and 15th Street Walnut, covering the alley. The surveillance video revealed an individual wearing a black jacket and green backpack, carrying a white plastic bag on 02/05/2019 at 0457 hours, similar to the suspect of the homicide. The surveillance footage captures the individual matching the suspect walking northbound through the alley toward the direction of the utility box where the jacket and backpack were discovered. Additional surveillance footage revealed an individual walking northbound through the alley wearing a red or maroon hooded jacket, adjusting his clothing, putting on a red stocking cap and carrying a white plastic bag around 0502 hours on 02/05/2019.

On 02/08/2019, a print of value was developed on a Q-tip box recovered from inside the green backpack. The prints of value were compared to the known prints of **Timothy R. Fernandez, B/M, 02/24/1977** and were identified to **Fernandez**. In addition, a box of 38 caliber ammunition was located inside the green backpack. The ammunition was compared to the lodged bullet recovered from the victim's jacket and determined to be the same caliber class.

Timothy R. Fernandez, B/M, 02/24/1977 was developed as a suspect due to the DNA profile developed from the tissue recovered from the scene, the prints recovered from the Q-tip box out of the backpack and the same caliber class of ammunition compared to the bullet recovered from the victim.

Printed Name MDet. Brent Taney #4641 Signature 

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

Judge

Circuit Court of _____ County, State of Missouri.