IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI <u>AT KANSAS CITY</u>

| POLICE NO. | : KC20083022 |
|-----------------------|--------------------|
| PROSECUTOR NO. | : 095462551 |
| OCN | : |
| STATE OF MISSOURI, |) |
| PLA | INTIFF,) |
| vs. |) |
| |) |
| KEITH J HERNANDEZ |) |
| 1427 Oakley |) CASE NO. 2116-CR |
| Kansas City, MO 64127 |) DIVISION |
| DOB: 01/11/1999 |) |
| Race/Sex: W/M |) |
| |) |
| DEFE | NDANT. |
| COM | DI AINT |

COMPLAINT WARRANT REQUESTED

Count I. Murder 2nd Degree (565.021-001Y20200903.0)

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 December 4, 2020, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Devonta Dunson 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 (571.015-001Y20205213.0)

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, RSMo, in that on or about December 4, 2020, in the County of Jackson, State of

State vs. Keith J Hernandez

Missouri, the defendant committed the felony of murder in the second 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 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. Knowingly Burning Or Exploding (569.055-001Y20202099.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.055, RSMo, committed the **class E felony of knowingly burning**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about December 4, 2020, in the County of Jackson, State of Missouri, the defendant knowingly damaged a Ford Four Track, located at 10th Street and Winner Road and owned by Devonta Dunson, by starting a fire.

The range 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 one (1) year 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 IV. Tampering With Physical Evidence In Felony Prosecution (575.100-001Y20205006.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.100, RSMo, committed the Class E Felony of Tampering with Physical Evidence, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about December 4, 2020, in the County of Jackson, State of Missouri, the defendant set fire to a Ford Four Track with the purpose to impair its availability in the investigation of the murder of Devonta Dunson, an official investigation, and thereby impaired and obstructed the prosecution of Keith Hernandez for the crime of Murder in the First Degree, a felony.

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/ Jeannette L. Wolpink
Jeannette L. Wolpink (#54970)
Assistant Prosecuting Attorney
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WITNESSES:

- 1. Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
- 2. DET Chason C. Crowell, 1125 Locust, Kansas City, MO 64106
- 3. Devonta J Dunson, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
- 4. DET Timothy M. Fitzgerald, 1125 Locust, Kansas City, MO 64106
- 5. DET Joshua M. Gantt, 1125 Locust, Kansas City, MO 64106
- 6. PO Carlos A. Mena, 1125 Locust, Kansas City, MO 64106
- 7. DET Angelina M. Sanchez,
- 8. DET Ethan R Skinner,
- 9. DET Ephraim Vega, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

CRN: KC20083022

| I, Detective Chason Crowell #5228 (Name and identify law enforcement officer, | | | | | |
|-------------------------------------------------------------------------------|---------------------|-----------------|-----------------------------|---------------------|----------|
| knowing that false statements on this form | n are punisha | able by law, st | ate that the facts | contained herein a | re true. |
| I have probable cause to believe that on | 12/04/2020 (Date | | 10 th and Winner | Address) | in |
| Kansas City, Jackson (County) | Missouri _ | Keith Hernand | (Name of Offer | nder(s)) | |
| WM, 01/11/1999, 1 (Description of Identity |) | co | mmitted one or m | nore criminal offen | se(s). |

The facts supporting this belief are as follows:

Date: 01/07/2020

On 12-04-2020 at 1415 hours, officers of the Kansas City Missouri Police Department were dispatched to 10th Street and Winner Road in Kansas City, Jackson County, Missouri on a reported Dead Body. The calling party reported that a body was discovered inside a burned vehicle at the location. Upon officers arrival, they confirmed this to be the case and that the body inside was also burned. The party was determined to be deceased. The victim was later identified to be Devonta Dunson, BM, 11/09/1995. Injuries from the body exam revealed the victim to have two gunshot wounds. One to the right eye and one to the right cheek as well as burns all over his body.

Detectives responded to the scene and observed the deceased lying face down on the rear floorboard of a blue Ford Explorer Sport Trac XLT bearing Missouri license JB1B1V. The VIN was unreadable due to fire damage. A large amount of personal items were observed inside the vehicle as well as outside the vehicle.

Detectives conducted an area canvass around the crime scene and located several home security cameras. Camera footage from the area of 10th and Oakley captures the victim's vehicle travel North on Oakley then turn West on 10th Street where it parks next to the North Curb. A person on foot is seen next to the driver's side of the vehicle when it erupts in flames. The individual on foot is then seen running from the scene, south on Oakley. An additional camera affixed to a residence south of the crime scene reveals a large in stature male with short hair walking south on Oakley wearing shorts and a T-shirt. The male continues south on Oakley where he walks out of view of the camera. Detectives responded back out to the area and located several houses along Oakley that had security cameras. Detectives were able to track the male to the 1300 block of Oakley where he is seen crossing the street from the west sidewalk to the east sidewalk and continue south on Oakley.

During the course of the investigation detectives spoke with family members of the victim who advised he had been with a person that goes by Ramon Llaves, AKA "KEYS". A search of Facebook for the name Ramon Llaves was conducted and revealed a picture of a large in stature Hispanic male under the profile name of Llaves Ramon. The date of birth on the Facebook page was 01/11/1999. Further investigation revealed a Facebook page belonging to Zoe Baldin had been reacting to several of Llaves Ramon's posts. Zoe Baldin was found to live at 1427 Oakley, approximately four blocks south of the crime scene. In addition, it was discovered that a photograph posted by Llaves Ramon on 07/16/2020 appeared to be him on the porch of 1427 Oakley.

On 12/09/2020, a family member of the victim called detectives with possible suspect information. She advised she had been getting information that Llaves Ramon lives at 1427 Oakley with his girlfriend. The family member knocked on 1427

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Oakley and spoke to a female who advised Llaves Ramon's real name is Keith Hernandez. A computer check of Keith Hernandez responded with a date of birth of 01/11/1999. This information was checked through Missouri DOR and the DOR photograph is consistent with the photos of Llaves Ramon's Facebook page. This information led detectives to 1427 Oakley where an area canvass was conducted and a crime scene was located. There was broken glass in the street along the curb as well as apparent blood on the curb.

Additional video from a residence across the street from 1427 Oakley was subsequently obtained. This video revealed that on 12-03-2020 at 2208 hours, a truck bearing a strong resemblance to the victim's vehicle arrives in front of 1427 Oakley and parks on the east curb facing south. The vehicle remains parked and occupied off and on for a number of hours. At approximately 0128 hours on 12-04-2020, the victim's vehicle leaves but returns 16 minutes later and parks in the same spot. Again, it remains occupied. The victim's vehicle leaves once again at 0335 and returns 14 minutes later. At 0421 hours, what appears to be a muzzle flash is seen inside the victim's vehicle; seconds later, a white male appears to exit the passenger front seat, turns and appears to fire a second shot (which is evidenced by the apparent breaking of the rear driver's side window and glass is seen dropping to the street); the suspect shooter is then seen moving about the victim's vehicle and is wearing what appear to be sweat pants and a hood sweatshirt. Continuing in this footage, the suspect shooter is seen to be associating to one of the residences at 1427/1429 Oakley Avenue. The same male appears to exit, having changed into clothing consistent with the subject that was seen on the video from the 1100-block of Oakley, shorts and a T-shirt. A vehicle in the driveway of 1427 Oakley Avenue is seen leaving the premises, the occupant is not seen. The suspect shooter enters and positions what appears to be a white Nissan sedan in front of the victim's vehicle and spends approximately 1 hour 15 minutes going in and out of the Nissan and the victim's vehicle and using jumper cables on the victim's vehicle (jumper cables that the suspect removed from the victim's vehicle). At approximately 0607 hours, the suspect appears to drive the victim's vehicle northbound on Oakley Avenue. At approximately 0626 hours, the suspect is seen entering the driver's seat of the White Nissan and driving south on Oakley then turns west on Truman Road.

On 12/11/2020 detectives interviewed a witness who advised she lives at 1427 Oakley with her boyfriend KEITH HERNANDEZ, WM, 01/11/1999. The witness advised she and HERNANDEZ got into an argument the night of 12/03/2020 and he left the residence at about 2000 hours. She went to bed about 2200 hours and while asleep she heard people come into the house at approximately 0100 hours. She advised she heard HERNANDEZ'S voice and a second male voice which she did not recognize. At approximately 0430 hours she was woken up by HERNANDEZ who was banging on the front door of 1427 Oakley. She responded and opened the door and found HERNANDEZ to be in a frantic state and he told to leave the house. She advised HERNANDEZ was wearing light colored sweat pants and a hooded sweatshirt. She observed blood on the right side of HERNANDEZ'S pants and sweatshirt. The witness asked what happened and HERNANDEZ told her "that nigga tae got what he deserved". She left the residence and as she was backing out of the driveway she observed HERNANDEZ walking toward the victim's car, approach the passenger side and begin moving unknown items around from within. She drove away and did not see anything else the remainder of the morning. The next day she met up with HERNANDEZ and observed his left eyebrow was shaved or singed. She also noticed a red mark on his left leg which she compared to the appearance of a sunburn. On Sunday 12/06/2020, the witness and HERNADEZ'S mother drove HERNANDEZ to his uncle's house in New Mexico and returned back to Kansas City without him. She advised HERNANDEZ also got a new phone and phone number during this time. The witness stated that HERNANDEZ owns a white Nissan which he bought earlier in the year from a local dealership. She stated that prior to leaving for New Mexico, HERNANDEZ loaned the Nissan to his cousin, Afton, to use.

Through further investigation, detectives discovered Afton's last name to be Worley with a birthdate of 07-25-1989 and an address of 4815 NE 48th Street in Clay County Missouri.

Detectives subsequently contacted that dealership and provided them with HERNANDEZ's name in an effort to identify his vehicle. Information was received that he purchased a white 2014 Nissan Altima in February 2020 and his mother's name is also listed on the vehicle. Detectives were provided with a MO temporary tag 04N187 and a VIN #1N4AL3AP8EN210306. A computer check confirmed the temporary tag was issued to HERNANDEZ for the Nissan.

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On 12-15-2020, Detectives responded to Worley's residence in an effort to locate the Nissan. Detectives observed a white Nissan Altima in the driveway of 4815 NE 48th Street with a Missouri dealer tag of D264-CT. Contact was then made with Worley who was cooperative with investigators. The VIN number was compared to the one obtained from the dealership and confirmed to be a match. Worley also advised detectives that the Nissan belongs to HERNANDEZ and she's had it for approximately a week to a week and a half.

A search of the License Plate Reader system of D264-CT revealed the white Nissan was traveling west bound at Truman and Hardesty at 0628 hours on the morning of 12-04-2020. This location is in close proximity to 1427 Oakley and approximately 20 minutes after the victim's vehicle was set on fire and abandoned

On 12/15/2020, detectives obtained a search warrant through the Clay County Prosecutors Office to tow the car to the City Tow Lot and process it for evidence.

On 12/17/2020 detectives and crime scene personel responded to the city tow to execute the search warrant and process the car for evidence. Crime Scene personel located several Luminol/Hemastix positive areas in and around the vehicle. Swabs of the Luminol/Hemastix positive areas were collected and sent the Kansas City Police Crime Lab to be processed.

On 12/23/2020 a lab report from the crime lab was produced and indicated "there is very strong support that Devonta Dunson is a contributor of DNA on the swab of Luminol positive fingermarks on the exterior driver's door closure edge."

Based on the above information, detectives request an Arrest Warrant for KEITH HERNANDEZ,WM, 01/11/1999.

| Printed NameDet. Chason Crowell #5228 | Signature /s/ Det. Chason Crowell #5228 | | | | |
|------------------------------------------------|-----------------------------------------|---|--|--|--|
| The Court finds probable cause and directs the | issuance of a warrant this day of | • | | | |
| Judge | | | | | |
| Circuit Court of | County State of Missouri | | | | |