

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY**

<b>POLICE NO. :</b>	KC22011772
<b>PROSECUTOR NO. :</b>	095468429
<b>OCN:</b>	

<b>STATE OF MISSOURI,</b>	)	
	)	<b>PLAINTIFF,</b>
<b>vs.</b>	)	
	)	
<b>DAVID EMERSON</b>	)	
<b>Unknown</b>	)	<b>CASE NO. 2216-CR</b>
<b>Kansas City, MO - 64106</b>	)	<b>DIVISION</b>
<b>DOB: 07/24/2003</b>	)	
<b>Race/Sex: B/M</b>	)	
	)	
	)	
	)	<b>DEFENDANT.</b>

**AMENDED COMPLAINT**

**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 February 20, 2022, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Ashley C. Pettiford by shooting her.

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 February 20, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in

## State vs. David Emerson

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 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 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.

### **Count III. 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 February 20, 2022, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Jermaine C. Jackson 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.

**State vs. David Emerson**

**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, RSMo, in that on or about February 20, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of [name of felony] by, with and through, the knowing use, assistance and aid of a 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 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.

**Count V. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim  
(565.050-001Y20201304.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **class A felony of assault in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about February 20, 2022, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [REDACTED]. by shooting him and such conduct was a substantial step toward the commission of the offense of assault in the first degree of [REDACTED] a vulnerable person and special victim due to being five years old, and was done for the purpose of committing such assault.

## State vs. David Emerson

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 VI. 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 February 20, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of assault in the first degree charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of assault in the first degree by, with and through, the knowing use, assistance and aid of a 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 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.

The facts that form the basis for this information and belief are contained in the previously filed statement(s) of facts, incorporated herein and submitted as a basis upon which this court may find the existence of probable cause.

**State vs. David Emerson**

**JEAN PETERS BAKER**  
Prosecuting Attorney  
Jackson County, Missouri  
by,

*/s/ John G. Gromowsky*  
John G. Gromowsky (#50700)  
Assistant Prosecuting Attorney  
415 East 12th Street  
Floor 7M  
Kansas City, MO 64106  
(816) 881-3319  
JGromowsky@jacksongov.org

**WITNESSES:**

1. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
2. DET Zakary K. Glidewell, 1125 Locust, Kansas City, MO 64106
3. Jermaine C. Jackson, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
4. [REDACTED], 415 E 12th St, Floor 11, Kansas City, MO 64106
5. DET Sean P. Martin, 1125 Locust, Kansas City, MO 64106
6. Ashley C. Pettiford, 4321 Kensington, Kansas City, MO 64133
7. DET James H. Price, 1125 Locust, Kansas City, MO 64106
8. DET Ilinca E. Rusnac, 1125 Locust, Kansas City, MO 64106
9. DET Derek M. Sanders, 1125 Locust, Kansas City, MO 64106
10. DET Timothy R Taylor, 1125 Locust, Kansas City, MO 64106
11. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

**PROBABLE CAUSE STATEMENT FORM**

Date: 3/3/2022

CRN: KC22011772

I, Det. Derek Sanders #5742, of the Kansas City, Missouri Police Department  
(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 2/21/2022, at 2914 Linwood Blvd in  
(Date) (Address)

Kansas City, Jackson Missouri DAVID EMERSON  
(County) (Name of Offender(s))

B/M 7/24/2003 committed one or more criminal offense(s).  
(Description of Identity)

The facts supporting this belief are as follows:

On 2/21/2022 at 0049hrs, officers of the Kansas City, Missouri Police Department responded to the area of Linwood Blvd/Agnes Ave. Upon arrival to the area, they were informed by an unknown reporting party that there were dead bodies in a white Dodge in the parking lot at 2914 Linwood Blvd. Responding officers approached the parking lot at 2914 Linwood Blvd and located a deceased black male and black female in the vehicle. A five year old black male was located in the back seat of the vehicle, suffering from a gunshot wound to the right eye. The juvenile was transported to an area hospital by EMS.

Detectives arrived on scene and located a deceased black female, Victim#1, (later identified as ASHLEY PETTIFORD B/F 9/30/1990) and a deceased black male, Victim#2, (later identified as JERMAINE JACKSON B/M 5/15/1987) in a white Dodge Journey parked in a parking lot on the northwest corner of Linwood Blvd/Agnes Ave. Three spent shell casings, each with different head stamps of RP 9mm Luger, WIN 9mm Luger and PMC 9mm Luger, were located on the ground near the driver’s door and left rear passenger door. The driver’s door window was shattered, glass lying on the ground just below. It should be noted that four plastic trays were placed on the ground by Crime Scene Investigators to preserve shoe print impressions in the mud. One spent shell casing, with a head stamp of GFL 9mm Luger, was lying on the ground just outside of the right rear passenger door. Another spent shell casing, with a head stamp of Blazer 9mm Luger, and a bullet fragment were located lying on the floorboard of the right rear passenger seat.

Victim#1 was sitting in the front passenger seat of the Dodge Journey, wearing a grey sweatshirt and grey pants. She had a box of food resting on the seat between her legs and a black handgun (Taurus TCP .380) lying on her right leg. A red purse and a black Android cell phone were sitting on her left leg. Apparent blood was observed on her shirt as well as around her mouth and nose. It should be noted there was apparent blood spatter observed on the interior of the front passenger window.

Victim#2 was sitting in the driver’s seat of the Dodge Journey, wearing black pants and a black Chiefs hooded sweatshirt. His hooded sweatshirt was covered in apparent blood and a white shirt was resting on his right arm, also covered in apparent blood. Broken glass was observed on Victim#2 as well. Victim#2 sustained apparent gunshot wounds to his head and apparent blood was seen around his mouth and nose.

## PROBABLE CAUSE STATEMENT FORM

CRN KC22011772

On 2/21/2022, detectives retrieved surveillance video from the apartments at 2912-2914 Linwood Blvd. During review of the surveillance video it was determined the recordings are 57 minutes ahead of real time.

While reviewing the video, the Victim vehicle is seen entering the parking lot of the apartment building on 2/21/2022 at 2247hrs per the video timestamp. At 2254hrs, the Suspect, wearing a blue/white/red coat, is seen entering view of the camera and opening the right rear passenger door. The Suspect then closes the door and hurries back towards the apartment building. The Suspect is next seen on camera at 2300hrs coming out of the back of the apartment building and walking towards the parking lot where the Victim vehicle is parked. The parking lot video picks up next at 2307hrs, the Suspect is opening the front passenger door for a moment before closing it. He then runs around the front of the Victim vehicle to the driver's door. He opens the driver's door and leans into the vehicle. He steps backward before discharging his firearm, as muzzle flash is observed inside the vehicle. The Suspect leans into the vehicle once more before stepping back and firing again into the vehicle, muzzle flash is again observed. The Suspect leans into the vehicle again, and appears to be rummaging through the driver's seat area. The Suspect grabs a white plastic sack and flees northbound on Agnes Ave, away from the parking lot.

On 2/22/2022, a party, wishing to remain anonymous, contacted detectives and said that the person responsible for the murders of the Victims has a Facebook page with the username of 'Osama Davoo'. Detectives were able to retrieve a birthday of 7/24/2002 from the Facebook page.

Detectives began investigating the Facebook profile page. A photo of 'Osama Davoo' wearing a yellow shirt, standing with another unidentified male wearing a jean jacket and green hoodie was observed. The photo had been 'liked' seventeen (17) times. In the list of Facebook profiles that 'liked' the photo, a profile by the name of 'Loveytodope Looney' had reacted to the photo with a heart, indicating she had 'loved' the photo. Detectives navigated to 'Loveytodope Looney's' Facebook profile and observed a photo of a text conversation she was tagged in with 'Davo Davo'. The message appeared to be between mother and son. Detectives compared photos of the main person pictured in both 'Davo Davo' and 'Osama Davoo' and it appeared they were the same person, both had a similar tattoo on the right hand and similar facial features. While looking through the photos of 'Davo Davo', detectives observed a photo of him wearing a multi colored hooded coat with blue top, white middle and red on the bottom. It should be noted that this coat appears to be the same coat that is worn by the Suspect seen in the surveillance video at the time of the homicide.

On 2/22/2022, a KCPD analyst looked through the Facebook profiles of 'Osama Davo' and 'Osama Davoo'. The analyst discovered that the profiles referred to a [REDACTED] as his sister in several Facebook posts. The analyst searched through KCPD's report writing system and located a [REDACTED] in a report. She was listed in an aggravated assault report as the victim and a DAVID D. EMERSON B/M 7/24/2003 is listed as the suspect and [REDACTED]. The analyst located a booking photo of EMERSON from KCPD's report writing system, and it strongly resembled the male in the photos from the 'Osama Davo' and 'Davo Davo' Facebook profiles.

On 2/22/2022, detectives retrieved additional surveillance video from earlier in the day at the apartment building. EMERSON is seen inside the apartment building, going up the stairs, on 2/20/2022 at 0727hrs per the

## PROBABLE CAUSE STATEMENT FORM

CRN KC22011772

video timestamp. At 0726hrs and 0727hrs, EMERSON is seen holding a firearm in his right hand while descending the stairs and he is seen with an unknown black female.

It should be noted that EMERSON is seen on the apartment video on 2/20/2022 at 0227hrs wearing the same blue/white/red coat and exits the front of the apartment building. At 0228hrs, EMERSON walks into the parking lot and pulls out two firearms. He points them towards Agnes Ave, to the northeast, and begins shooting. He begins to backpedal while discharging his firearms. He then puts one of his guns away and begins shooting the other gun again, towards Agnes Ave. He runs back towards the apartments and is seen on camera behind the apartments where he runs up the stairs into the building.

Detectives received a tenant list from apartment management, which showed the tenants from the six apartments in the building. While investigating the list, detectives determined a connection between one of the tenants, [REDACTED] and EMERSON. The 'Osama Davoo' Facebook profile is friends with a 'Desii [REDACTED]' and the 'Davo Davo' is friends with a [REDACTED]. Detectives looked searched through KCPD's report writing systems and found a [REDACTED] listed in a non-injury vehicular accident on 11/6/2021. Looking through that report, detectives discovered a [REDACTED] was also listed in the report as a passenger with [REDACTED]. Due to this information, detectives believe EMERSON is associated to [REDACTED], who resides at 2912 Linwood Blvd #2W.

The east side of the apartment building is 2914 Linwood Blvd and the west side of the building is 2912 Linwood Blvd.

On 2/23/2022, detectives executed a search warrant at 2912 Linwood Blvd #2W. The apartment was unoccupied at the time of the execution. During the search, detectives did not locate any items of evidentiary value. There was mail/paperwork addressed to 'Deandra Bond' present in the apartment. Photos of the apartment were captured and retained in the case file.

Soon after detectives secured the apartment #2W, one of the three tenants listed for the apartment, [REDACTED], contacted police in regard to a burglary at his apartment. [REDACTED] was referred to the investigating detectives, at which time he responded to KCPD Headquarters to meet them for a formal statement.

Detectives spoke with [REDACTED], who stated the following: He, [REDACTED] (girlfriend/roommate) and [REDACTED] (friend/roommate) left the apartment on 2/20/2022 at an unknown time, however, [REDACTED] stated it was still light outside [REDACTED] [REDACTED] in [REDACTED], KS. On his way back to the apartment on Linwood Blvd, [REDACTED] received a Facebook messenger call from [REDACTED], [REDACTED], between 2130-2230hrs, stating there were gunshots going off at the apartments and told him to hurry back so they can leave. [REDACTED] was not sure what time it was when he picked up [REDACTED] from his apartment, but they went to Wal-Mart off of 40 Highway and he remembers it being about 2240hrs and stated he thinks he and [REDACTED] arrived back to the apartment around 2330hrs and stayed at the apartment all night. [REDACTED] vehicle and left the apartment for the night.

[REDACTED] recounted an encounter with a black male a few weeks ago, stating the black male approached him and brandished an "AR" type gun. [REDACTED] was then shown two single photos of the Suspect (EMERSON), one of EMERSON inside the apartment building and the other of a selfie from EMERSON's 'Davo Davo' Facebook



## PROBABLE CAUSE STATEMENT FORM

CRN KC22011772

account. ■ acknowledged that the black male pictured (EMERSON) was the same male he encountered with the firearm a few weeks ago, but that he did not know who it was or what his name was. ■ further stated the black male from the photos (EMERSON) is associated with the apartment above his (determined to be #3W) and that the tenants that live above him have always caused issues. The tenants from #3W always play loud music, yell/scream and get into physical fights in the apartment. ■ stated he has seen the male from the photos go up to the third floor and enter apartment #3W.

It should be noted that EMERSON was arrested and placed on an investigative hold on 3/2/2022 at 2155hrs, in regard to possessing a stolen firearm. During the incident, officers of the Kansas City, Missouri Police Department located a Taurus 9mm handgun in the center console of the vehicle EMERSON was occupying. The Taurus 9mm handgun was sent to the KCPD Crime Lab to compare it to shell casings and evidence recovered from the crime scene.

On 3/3/2022, under covers detectives with the Kansas City, Missouri Police Department located EMERSON at 218 W 34<sup>th</sup> St, where he was taken into custody and placed on an investigative hold. He was transported to KCPD Headquarters and placed into a video recorded interview room.

Detectives contacted EMERSON, who was advised of his rights, and he agreed to speak with detectives. EMERSON stated the following: He moved back to Kansas City, Missouri last year and ended up meeting 'Doe Boy', who he referred to as his 'brother'. EMERSON goes on to say that 'Doe Boy' was killed. When asked about 'Doe Boy's' death, EMERSON went on to state that he was at his 'Auntie's' house at 3857 E 56<sup>th</sup> Ter when he got a call from 'Charles', EMERSON's other close friend, telling him 'Doe Boy' was killed.

EMERSON was shown a picture of two Facebook profiles, 'Osama Davoo' and 'Davo Davo', to which EMERSON acknowledged they were his profiles. A picture of him wearing a blue/red/white coat from his 'Davo Davo' profile to which EMERSON again stated that was him in the photo. He was then shown a picture of a black male, wearing the blue/red/white coat, in the hallway of the apartments at 2912 Linwood Blvd. EMERSON stated that it wasn't him. He was then shown a photo of a black male walking up the stairs in the hallway, showing his face, and EMERSON acknowledged that was him in the photo. It should be noted EMERSON was holding a handgun in one of the photos from the interior surveillance video, to which EMERSON stated he always carries guns on his person. EMERSON further stated he is always hanging out at the apartment building because his cousin, 'Kuvadji', also known as 'Bear', stays at the apartments. EMERSON was shown a photo of him and a black female in the hallway, to which EMERSON acknowledged it was him and his girlfriend 'MarKayla'.

EMERSON was then shown two photos of him outside, wearing the same coat, from 2/20/2022 around 0230hrs (according to the video timestamp) shooting two firearms. EMERSON admitted that was him in the photos shooting the guns. When asked why and what he was shooting at, EMERSON stated he wasn't shooting at anything particular and that he always goes out and shoots his guns to make sure they don't jam up.

EMERSON was the shown a photo of him at the front passenger door of the Victim's vehicle with the door ajar. EMERSON immediately denied that was him stating another male in the apartments has the same coat he has. EMERSON was shown three more photos, two of him shooting his firearm into the vehicle at the Victim's

**PROBABLE CAUSE STATEMENT FORM**

CRN KC22011772

and one of him running away from the Victim’s vehicle. EMERSON again denied being the one pictured in the photo, despite the photos showing him wearing the same blue/red/white coat and blue jeans that he was seen wearing in the previous photos from the same day.

It should be noted that EMERSON is not seen leaving the apartments between the time he is seen in the hallway (2/20/2022 at about 0727hrs) and the time he is seen running away from the Victim’s vehicle after the shooting(2/20/2022 at about 2308hrs).

EMERSON voluntarily signed a consent to search for a DNA buccal swab and voluntarily signed a separate consent for his red iPhone in a black case.

Having received consent from EMERSON for his cell phone, detectives were able to locate information through Cellebrite regarding the location of EMERSON’s cell phone shortly before the homicide. EMERSON’s cell phone location shows to be at 39.068059, -94.548939, which is between S Benton Ave and Agnes Ave on Linwood Blvd, which is the scene of the homicide. The time stamp is for 2132hrs, which is about thirty minutes prior to the homicide and the next time his phone shows a GPS location is at 2240hrs, roughly thirty minutes after the homicide, at 39.016235, -94.539266, which shows on E 60<sup>th</sup> Ter between Jackson Ave and Swop Pkwy.

At this time, additional data from EMERSON’s cell phone is still pending.

Due to the facts gathered during the course of the investigation, we believe EMERSON to be a danger to the community.

Printed Name Det. Derek Sanders #5742 Signature /S/ Det. Derek Sanders #5742

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

\_\_\_\_\_  
Judge

Circuit Court of \_\_\_\_\_ County, State of Missouri.