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

<b>POLICE NO.:</b> KC22015085		
UTOR NO.:	095468647	
OCN:		
		)
PLAIN	NTIFF,	)
		)
		)
		)
		) CASE NO. 2216-CR
		) DIVISION
		)
		)
		)
DEFEN	DANT.	)
COMP	LAIN	Γ
	UTOR NO. : OCN: PLAIN	UTOR NO.: 0954686

Count I. Stealing - \$750 Or More (570.030-035Y20202399.0)

**SUMMONS REQUESTED** 

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.030, RSMo, committed **the class D felony of stealing by deceit**, punishable upon conviction under Section 570.030.5(1), RSMo, in that on or between the dates of January 20, 2022 and February 19, 2022, in the County of Jackson, State of Missouri, the defendant appropriated U.S. currency in an amount over seven hundred fifty dollars, which property was in the possession of City Gear, and defendant appropriated such property from City Gear and with the purpose to deprive City Gear thereof by deceit in that the defendant represented to City Gear that the defendant was working security shifts at City Gear, which representations were false and known by defendant to be false and City Gear relied on the representations and was thereby induced to part with such property.

The range 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 one (1) year 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.

### State vs. Brandon D Sherman

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 a summons be issued as provided by law.

## **JEAN PETERS BAKER**

Prosecuting Attorney Jackson County, Missouri by,

/s/ Caitlin Brock
Caitlin Brock (#67964)
Assistant Prosecuting Attorney
415 East 12th Street
11th Floor
Kansas City, MO 64106
(816) 881-3571
cbrock@jacksongov.org

## **WITNESSES:**

- 1. City Gear, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
- 2. SGT Sebastien J. Hanriot, 1125 Locust, Kansas City, MO 64106
- 3. DET Guy E. Kirtley, 1125 Locust, Kansas City, MO 64106

#### **Probable Cause Statement Form**

Date:	3/9/2022	CRN:	KC22015085

## I, Det. Guy Kirtley# 4815 KC/MO Police Department Economic Crimes Section

(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 the facts contained herein as true. I have probable cause to believe that on  $\frac{2/19/2022}{\text{(Date)}}$ , at  $\frac{3115 \text{ Prospect Ave.}}{\text{(Address)}}$  in

Kansas City, Jackson Missouri Brandon Dean Sherman

(County) (Name of Offender(s))

W/M 10/7/1983 Committed one or more criminal offense(s).

## RSMO 570.030 Stealing

The facts supporting this believe are as follows:

Witness# 1 contacted the Kansas City, Missouri Police Department and reported that he was contacted by an employee of the victim's business located at 3115 Prospect. The employee was inquiring about security shifts not being covered at the business. Witness# 1 stated he checked the schedule for security at 3115 Prospect and observed that Brandon Sherman was scheduled to work the shifts where no security showed up for the shifts. Witness# 1 further stated he believed Sherman was still being paid as if he had worked the shifts. This witness stated normal procedure for working security at this location required the officer to clock in and out via a website provided by the company responsible for scheduling and payroll for security shifts.

Witness# 2, a representative for the company responsible for scheduling and payroll was contacted and provided the following information: Sherman was paid via direct deposit on the following dates:

	Date Paid	Amount	Dates Scheduled
1.	2/4/2022	\$940.00	1/20/2022, 1/21/2022, and 1/22/2022.
2.	2/11/2022	\$940.00	1/28/2022 and 1/29/2022.
3.	2/18/2022	\$720.00	1/30/2022, 1/31/2022 and 2/1/2022.
4.	2/25/2022	\$1,200.00	2/6/2022, 2/7/2022 and 2/8/2022.
5.	3/4/2022	\$1,400.00	2/14/2022, 2/15/2022, 2/16/2022, 2/17/2022, and 2/19/2022.

Computer records were checked for scheduled security shifts worked by Sherman. That list was taken to 3115 Prospect Ave. where I contacted witness# 3. Witness# 3 provided access to the business' video surveillance system. I observed the Digital Video Recorder (DVR) stored video from 1/20/2022 to 3/7/2022. Surveillance video was reviewed for above listed shifts scheduled for Sherman between 1/20/2022 and 3/7/2022. Sherman was not observed to be working during any of the scheduled shifts reviewed.

The above unworked shifts paid to Sherman caused a loss to the victim of \$5,200.00.

It should be noted witness# 1 stated they had responded to 3115 Prospect Ave. on 2/17/2022 and observed due to the amount of snow received in KC/MO that day the victim business was not open.

Witness# 4, employee and representative for the victim business was contacted and stated they did wish to prosecute and would cooperate with prosecution.

Sherman was requested to respond to Shoal Creek Patrol Division station to submit to an interview. Upon arrival he was escorted to an interview room where he was read the Miranda Warning. He stated he understood and requested an attorney. The interview was concluded at that time.

# **Probable Cause Statement Form**

Date: <u>3/9/2022</u>		CRN:	KC22015085
Printed Name Det. Guy Kirtley# 4815	Signature	4811	
The Court finds probable cause and directs the	e issuance of a warrant this	day of	··
	Judge		
Circuit Court of	County, Stat	e of Missouri	