

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

POLICE NO. :	KC22038987
PROSECUTOR NO. :	095470198
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
NOAH A MILLER)	
35464 South Lynn Street)	CASE NO. 2216-CR
Independence, MO 64055)	DIVISION
DOB: 12/21/1998)	
Race/Sex: B/M)	
[REDACTED])	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Attempted Assault - 2nd Degree (565.052-001Y20201399.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.052, RSMo, committed the **class E felony of assault in the second degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about June 12, 2022, in the County of Jackson, State of Missouri, the defendant recklessly attempted to cause serious physical injury to [REDACTED] by pursuing her vehicle with the intent to physically assault [REDACTED] and such conduct was a substantial step towards the commission of the felony of assault in the second degree.

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 II. Hindering Prosecution Of Felony (575.030-001Y20205099.0)

State vs. Noah A Miller

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.030, RSMo, committed the **class E felony of hindering prosecution**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about June 12, 2022, in the County of Jackson, State of Missouri, Nicholas Benkowich committed the felony of Unlawful Use of a Weapon, and that on or about June 12, 2022, the defendant provided Nicholas Benkowich with transportation to aid Nicholas Benkowich is avoiding apprehension, and that the defendant committed this act for the purpose of preventing the apprehension of Nicholas Benkowich.

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.

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/ 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. [REDACTED], Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. PO Nathan D Converse, 1125 Locust, Kansas City, MO 64106
3. PO Matthew J. Deloux, 1125 Locust, Kansas City, MO 64106
4. PO Eric J. Joy, 1125 Locust, Kansas City, MO 64106
5. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 06-17-2022

CRN: KC22038987

I, Detective Eric Joy #5803, Kansas City Missouri Police Department, 980 Assault Squad
(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 06/12/2022, at E 39th St and Broadway Blvd in
(Date) (Address)

Kansas City, Jackson Missouri Noah MILLER
(County) (Name of Offender(s))

B/M 12-21-1998 committed one or more criminal offense(s).
(Description of Identity)

AGGRAVATED ASSAULT

The facts supporting this belief are as follows:

On 06/12/2022 at 0227 hours, officers of the Kansas City Missouri Police Department were in the area of 39th and Broadway in regard to an injury accident. Officers observed three vehicles driving at a high rate of speed southbound toward their location. Officers identified the vehicles as a black sedan, a dark colored Nissan 350Z, and a grey Crown Victoria who appeared to be chasing each other. Once the vehicles were past the officers' location, they heard approximately 6 to 7 sounds of shots. Officers were contacted by multiple victims, who advised that the suspects in the Nissan 350Z fired shots at both of their vehicles and the incident originally stemmed from a vehicle sideshow in the area of I-70 and 13th St. The occupants of the Nissan Altima advised they were in the area of I-70 and 13th St trying to take their child to the hospital for a medical emergency. Traffic was blocked by multiple vehicles engaging in a sideshow burnout. ■■■ (VIC1) asked the participants to let them through, which they denied and assaulted her. SS was placed back in her vehicle by ■■■ (VIC2) after the initial assault. Due to the medical emergency they decided to try and drive through the sideshow to continue to a local hospital. While driving through the sideshow they struck a silver Crown Victoria and a black Nissan 350Z.

Officers were advised by ■■■ a short time later, who was occupying a black Nissan Altima, that a passenger in his vehicle had been shot. Officers contacted SS who was suffering from a gunshot wound to her right bicep area and was subsequently transported to a nearby hospital for treatment.

The black Nissan Altima had been struck multiple times by gunfire and the driver's side front window was broken. It had been occupied by ■■■ and their 8 and 6 year old children (one of whom needed medical attention for breathing problems). The grey Crown Victoria had been struck by gunfire in the engine block, and no injuries were sustained by those occupants. Spent 9mm shell casings were recovered from the scene.

The vehicle sideshow group frequently posts videos of their activities on multiple social media pages. Upon viewing the KC_Sideshow page on Instagram, the investigating detective was able to locate a video of the incident. The video depicted a black Nissan 350Z spinning around in a circle before being struck by a black Nissan Altima. The black Nissan 350Z matched the description of the suspect vehicle. The black Nissan Altima

PROBABLE CAUSE STATEMENT FORM

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matched the description of the victim's vehicle. In the comments attached to the video, detectives were able to find an Instagram account named "nick_benkowich." This account stated: "me and my boi was in the black 350Z he hit" and also: "oh my boi he aint get away", and tags another account ("noahie1738") as being the other occupant and owner of the vehicle. That account's profile contains the name "**Noah Miller**" and has photographs of the same 350Z, including a distinctive oval decal in the rear window. A police records search revealed **Noah MILLER b/m 12-21-1998** whose DOR photograph closely matches the Instagram profile picture for "noahie1738."

City cameras captured the 350Z from the area of the shooting at 39th Ter/Broadway Blvd to approximately Emanuel Cleaver II/Prospect Ave. On view of the cameras, at Emanuel Cleaver II and Troost Ave, the driver (a light skinned black male with long dark hair tied in a ponytail) exits the vehicle and appears to check the rear of the vehicle for damage. It should be noted that this male appears similar to the "**Noah Miller**" tagged on Instagram.

On 06-17-2022, a person of interest entry was entered for MILLER.

Detectives located and arrested MILLER on 06/17/2022. MILLER was escorted to Head Quarters on the 6th floor where he was read his Miranda rights and agreed to speak to Detectives. Miller stated the following: He admitted to being the driver of the Nissan 350Z the night of the incident and that BENKOWICH was the passenger of the vehicle. Both of them were doing "doughnuts" in the middle of the highway during a sideshow event. They were struck by a black Nissan Altima that left the area after they were struck. MILLER wanted to follow the Altima to fight the occupants. They chased the vehicle for approximately 5 minutes and observed a grey Crown Victoria that was also following the Nissan. BENKOWICH wanted to shoot at the vehicle but MILLER told him not to. MILLER decided to drive past the Nissan and observed BENKOWICH shoot out of the passenger side window. He heard approximately 3 sounds of shots before pulling BENKOWICH back into the vehicle telling him to stop. BENKOWICH owned a black over silver Smith and Wesson 9mm handgun. MILLER did not know if anyone was shot.

On 06/17/2022, Detectives served a Clay County Missouri search warrant at 1809 Ne 49th St, Kansas City, Clay County, Missouri. BENKOWICH was at the location and taken into custody. Detectives located a silver over black Smith and Wesson 9mm handgun inside BENKOWICH's bedroom. BENKOWICH was escorted to 6th floor of Headquarters where he was read his Miranda rights and agreed to speak to Detectives. BENKOWICH stated the following: He denied being in the Nissan 350Z the night of the incident but later admitted to being the passenger in the Nissan 350Z. The Nissan 350Z was struck by another vehicle while they were doing doughnuts on I-70 Highway. They chased the Nissan Altima in an attempt to fight the occupants. He remembered passing the Nissan Altima and heard sounds of shots. BENKOWICH denied having his handgun the night of the shooting.

A warrant is requested for MILLER and a bond is requested to be associated with that warrant due to the following factors: MILLER's participation in street racing and shooting into an occupied vehicle including children.

PROBABLE CAUSE STATEMENT FORM

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Printed Name Detective Eric Joy #5803 Signature /s/ Detective Eric Joy #5803

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

Judge

Circuit Court of _____ County, State of Missouri.

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

POLICE NO. :	KC22038987
PROSECUTOR NO. :	095470199
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
NICHOLAS M BENKOWICH)	
1809 NE 49th Street)	CASE NO. 2216-CR
Kansas City, MO 64118)	DIVISION
DOB: 04/11/1999)	
Race/Sex: W/M)	
)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, either acting alone or purposefully in concert with another, in violation of Section 571.030, RSMo, committed the **class B felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about June 12, 2022, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm from a Nissan 350Z, a motor vehicle.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

Count II. Armed Criminal Action (571.015-001Y20205299.0)

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 June 12, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of Unlawful Use of a Weapon, as charged in Count 1,, all allegations of which are incorporated herein by reference, and the defendant

State vs. Nicholas M Benkowich

committed the foregoing felony of Unlawful Use of a Weapon 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 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/ Caitlin Brock
Caitlin Brock (#67964)
Assistant Prosecuting Attorney
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Date: 06-17-2022

CRN: KC22038987

I, Detective Eric Joy #5803, Kansas City Missouri Police Department, 980 Assault Squad
(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 06/12/2022, at E 39th St and Broadway Boulevard in
(Date) (Address)

Kansas City, Jackson Missouri Nicholas M. Benkowich
(County) (Name of Offender(s))

W/M 04/11/1999 ██████████ committed one or more criminal offense(s).
(Description of Identity)

AGGRAVATED ASSAULT

The facts supporting this belief are as follows:

On 06/12/2022 at 0227 hours, officers of the Kansas City Missouri Police Department were in the area of 39th and Broadway in regard to an injury accident. Officers observed three vehicles driving at a high rate of speed southbound toward their location. Officers identified the vehicles as a black sedan, a dark colored Nissan 350Z, and a grey Crown Victoria who appeared to be chasing each other. Once the vehicles were past the officers' location, they heard approximately 6 to 7 sounds of shots. Officers were contacted by multiple victims, who advised that the suspects in the Nissan 350Z fired shots at both of their vehicles and the incident originally stemmed from a vehicle sideshow in the area of I-70 and 13th St. The occupants of the Nissan Altima advised they were in the area of I-70 and 13th St trying to take their child to the hospital for a medical emergency. Traffic was blocked by multiple vehicles engaging in a sideshow burnout. █████ (VIC1) asked the participants to let them through, which they denied and assaulted her. SS was placed back in her vehicle by █████ (VIC2) after the initial assault. Due to the medical emergency they decided to try and drive through the sideshow to continue to a local hospital. While driving through the sideshow they struck a silver Crown Victoria and a black Nissan 350Z.

Officers were advised by CW a short time later, who was occupying a black Nissan Altima, that a passenger in his vehicle had been shot. Officers contacted █████ who was suffering from a gunshot wound to her right bicep area and was subsequently transported to a nearby hospital for treatment.

The black Nissan Altima had been struck multiple times by gunfire and the driver's side front window was broken. It had been occupied by █████, █████, and their 8 and 6 year old children (one of whom needed medical attention for breathing problems). The grey Crown Victoria had been struck by gunfire in the engine block, and no injuries were sustained by those occupants. Spent 9mm shell casings were recovered from the scene.

The vehicle sideshow group frequently posts videos of their activities on multiple social media pages. Upon viewing the KC_Sideshow page on Instagram, the investigating detective was able to locate a video of the incident. The video depicted a black Nissan 350Z spinning around in a circle before being struck by a black Nissan Altima. The black Nissan 350Z matched the description of the suspect vehicle. The black Nissan Altima

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City cameras captured the 350Z from the area of the shooting at 39th Ter/Broadway Blvd to approximately Emanuel Cleaver II/Prospect Ave. On view of the cameras, at Emanuel Cleaver II and Troost Ave, the driver (a light skinned black male with long dark hair tied in a ponytail) exits the vehicle and appears to check the rear of the vehicle for damage. It should be noted that this male appears similar to the "Noah Miller" (**MILLER, Noah B/M 12/21/1998**) tagged on Instagram.

█ (driver of the victim's vehicle) was contacted to view a photographic lineup of 6 white males all similar in age and appearance. █ selected two photographs as the possible suspect. One photograph was the available booking photo for BENKOWICH, which was over a year old. The other photograph was a male with longer hair, which more closely matches BENKOWICH's current hairstyle.

On 06-17-2022, a person of interest entry was entered for BENKOWICH.

Detectives of the Kansas City Missouri Police Department were able to locate an up to date phone number (816-335-7725) for BENKOWICH. Detectives applied for a Trap and Trace search warrant out of Clay County Missouri which was granted. Detectives were able to track and locate BENKOWICH at **1809 NE 49th St, Kansas City, Clay County, Missouri**. A warrant to enter that residence and take BENKOWICH into custody was applied for and granted by Clay County. Detectives located a silver over black Smith and Wesson 9mm handgun inside BENKOWICH's bedroom.

BENKOWICH was escorted to 6th floor of Headquarters where he was read his Miranda rights and agreed to speak to Detectives. BENKOWICH stated the following: He denied being in the Nissan 350Z the night of the incident but later admitted to being the passenger in the Nissan 350Z. The Nissan 350Z was struck by another vehicle while they were doing doughnuts on I-70 Highway. They chased the Nissan Altima in an attempt to fight the occupants. He remembered passing the Nissan Altima and heard sounds of shots. BENKOWICH denied having his handgun the night of the shooting.

Detectives located and arrested MILLER on 06/17/2022. MILLER was escorted to Head Quarters on the 6th floor where he was read his Miranda rights and agreed to speak to Detectives. Miller stated the following: He admitted to being the driver of the Nissan 350Z the night of the incident and that BENKOWICH was the passenger of the vehicle. Both of them were doing "doughnuts" in the middle of the highway during a sideshow event. They were struck by a black Nissan Altima that left the area after they were struck. MILLER wanted to follow the Altima to fight the occupants. They chased the vehicle for approximately 5 minutes and observed a grey Crown Victoria that was also following the Nissan. BENKOWICH wanted to shoot at the vehicle but

PROBABLE CAUSE STATEMENT FORM

CRN KC22038987

MILLER told him not to. MILLER decided to drive past the Nissan and observed BENKOWICH shoot out of the passenger side window. He heard approximately 3 sounds of shots before pulling BENKOWICH back into the vehicle telling him to stop. BENKOWICH owned a black over silver Smith and Wesson 9mm handgun. MILLER did not know if anyone was shot.

A warrant is requested for BENKOWICH and a bond associated with that warrant due to the following factors: BENKOWICH's participation in street racing and shooting into an occupied vehicle including children, and his total lack of remorse expressed in his subsequent social media comments.

Printed Name Detective Eric Joy #5803 Signature /s/ Detective Eric Joy #5803

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

Judge

Circuit Court of _____ County, State of Missouri.