

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT

POLICE NO. :	22-080166
PROSECUTOR NO. :	095472249
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
BOBBY G. PEOPLES III)	
5142 Palmer Dr., Homeless)	CASE NO. 2216-CR
Kansas City, MO 64129)	DIVISION
DOB: 10/29/1993)	
Race/Sex: W/M)	
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)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

**Count I. Murder 2nd Degree - Felony Murder - During Perpetration/Attempted
Perpetration/Flight From Perpetration Of A Felony, A Person Dies (565.021-
003Y20200999.0)**

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 on or about November 16, 2022, in the County of Jackson, State of Missouri, Nicolett M Marshall was killed by being shot as a result of the perpetration of the class B felony of unlawful use of a weapon under Section 570.030, RSMo, committed by the defendant on or about November 16, 2022, in the County of Jackson, State of Missouri.

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.

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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, 571.015.2, 571.015.3, RSMo, in that on or about on or about November 16, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in 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. 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, in violation of 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 November 16, 2022, at 16905 East Larkspur Lane Apartment 4, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm at a habitable structure, 16905 E. Larkspur Lane Apartment 4.

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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 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, 571.015.2, 571.015.3, RSMo, in that on or about on or about November 16, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count III, all allegations of which are incorporated herein by reference, and the defendant 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.

Count V. Unlawful Possession Of A Firearm (571.070-001Y20205212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the class D felony of unlawful possession of a firearm, punishable under Sections 558.011 and 558.002, RSMo, in that on or about November 16, 2022, in the County of Jackson, State of Missouri, the defendant knowingly possessed a .45 caliber hand gun, a firearm, and on May 21, 2018, the defendant was convicted of the felony of possession of a controlled substance in the County of DeKalb, State of Missouri.

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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.

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/ Brian Morris
Brian Morris (#66094)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO 64050
(816) 881-4559
brian.morris@jacksongov.org

WITNESSES:

1. [REDACTED]
64106
2. PO Austin Blomquist, 223 N. Memorial Drive, Independence, MO 64050
3. [REDACTED]
[REDACTED]
[REDACTED]
64106
6. Nicolett M Marshall, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
7. PO Darren McIntosh, 223 N. Memorial Drive, Independence, MO 64050
8. [REDACTED]
9. CST Dale Perry, 223 N. Memorial Drive, Independence, MO 64050
10. DET John Roach, 223 N. Memorial Drive, Independence, MO 64050
11. PO Jacob Spencer, 223 N. Memorial Dr., Independence, MO 64050

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12. [REDACTED],
MO 64106
13. PO Ian Storey, 223 N. Memorial Drive, Independence, MO 64050
14. PO Daniel Thompson, 223 N. Memorial Dr., Independence, MO 64050
15. [REDACTED]

PROBABLE CAUSE STATEMENT

Date: 11/18/2022

Report #: 2022-80590

I, Ian Storey, a Detective with the Independence, Missouri, Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that at about 2141 hours on 11/16/2022, at 16905 E. Larkspur Ln. Apt. 4 Independence, Jackson County, Missouri, Bobby G. Peoples III, (Race: White, Sex: Male, DOB: 10/29/1993, Address: 705 S. Overton Ave. Independence MO [REDACTED] committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 11-16-22 at 2141 hours Officers with the Independence Missouri Police Department were dispatched to the area of 16900 E. Larkspur Lane on a shots fired call. While en route dispatch advised that several callers stated that a white male was yelling out a window that his wife had been shot.

Upon arrival Officers were directed to 16905 E. Larkspur Lane Apartment 4 where they made contact with [REDACTED] advised his wife, Nicolett Marshall, had been shot and was currently in the kitchen of the apartment nonresponsive. Officers on scene confirmed that Marshall was in the kitchen of the apartment and was deceased.

Detective Roach arrived on scene and was advised that [REDACTED] knew the identity of the shooter. At that time [REDACTED] was escorted to the Independence Police Station for a formal interview with Detective Roach. During the interview [REDACTED] advised 16905 E. Larkspur Lane apartment 4 belonged to his [REDACTED]. He stated he and Marshall had been staying there for about two weeks while his sister was out of town.

[REDACTED] advised the person who shot his wife was Bobby Peoples. He stated he has known Peoples for about twelve years. [REDACTED] stated three days ago Peoples came to the apartment and gave him .9mm handgun to hold on to. He stated Peoples is a convicted felon and he didn't want to be carrying two guns on his person. [REDACTED] stated Peoples kept in his possession a 1911 style .45 caliber hand gun.

[REDACTED] stated a two days ago there was an incident where his sisters back windshield was broken out and he suspected Peoples as the culprit. He stated other than that incident he and Peoples have never had any sort of arguments before. [REDACTED] said Peoples called him earlier today and said he wanted to pick up the .9mm handgun because he had someone who wanted to buy it. [REDACTED] said he told Peoples he wanted to talk about what happened with the windshield and fix the argument between them.

[REDACTED] stated around 2130 hours Peoples arrived at the apartment with his girlfriend [REDACTED]. He stated Peoples backed his vehicle up to the blue dumpster in front of the apartment. [REDACTED] stated Peoples and [REDACTED] walked to the grass in front of the balcony of the apartment and started yelling at him. [REDACTED] stated Peoples told him he wanted his gun back and if he didn't give it to him he was going to start shooting. He stated he told Peoples to come inside so they could talk.

█████ stated at that time he observed █████ say something to Peoples who then pulled out the 1911 Style handgun and began shooting into the apartment. He stated he took cover behind a wall as the rounds were fired. █████ stated he heard Marshall say “babe” and walked out of the kitchen and into the dining / living room as he was taking cover. He said at that time he witnessed Marshall fall to the ground and begin bleeding. █████ said he carried her into the kitchen and watched as she “bled out” and became non responsive.

█████ said he then grabbed the .9mm handgun he had been holding onto for Peoples. He stated he went out to the balcony and observed Peoples and █████ leaving in a gold Mazda sedan slowly driving away. █████ stated he fired several rounds at the vehicle as it left the parking lot advising he his the vehicle.

Detective Storey conducted a search warrant of the residence and located a black Springfield Armory XD9 9mm serial #BA383155 in the kitchen cabinet above the stove where Staggs advised he had put it. On the front raised deck of the apartment 7, 9mm shell casings were observed with another 9mm shell casing located under the deck. The sliding glass door leading from the apartment to the deck was opened and both sides were shattered. Inside the residence several bullet holes located in the living room and dining area. Outside of the residence just slightly west of the deck 7 spent 45. caliber shell casings were observed where █████ had described Peoples to have been shooting from with a .45 caliber handgun.

Detective Jarnagin later went to the autopsy of Marshall where the medical examiner stated Marshall suffered a fatal gunshot wound to her left breast that exited out of her right back. The medical examiner also advised Marshal had no soot or stippling on her skin.

A previous call or service for Independence Police Department on 8/20/2022 listed Peoples and █████ in a disturbance where Peoples was shooting at █████. During the call for service █████ was revealed to be driving a gold 2004 Mazda 6 with Kansas license 773-P8E which matches the description █████ gave as the vehicle she was driving during the shooting.

Peoples’ criminal history report shows him to be a convicted felon. On 5/21/2018 he was convicted of possess control sustance of marijuana in Dekalb County MO.

Detective Ian Storey

/S/ Ian Storey

Print Name

Signature