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

POLICE N	NO.: KC22078879
PROSECUTOR N	NO.: 095472312
C	OCN: HS037296
STATE OF MISSOURI,)
·	PLAINTIFF,)
vs.)
)
MARQUES DERRICK SMITH JR.	.)
2011 Spruce Ave) CASE NO. 2216-CR
Kansas City, MO 64127) DIVISION
DOB: 07/31/2002)
Race/Sex: B/M)
)
DI	EFENDANT.)
CC	MDI AINT

COMPLAINT WARRANT REQUESTED

Count I. Murder 1st Degree (565.020-001Y20200999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant, after deliberation, acting alone or in purposeful concert with another, knowingly caused the death of Leerick Kelley by shooting him, and that the defendant was eighteen years of age or older at the time of the offense, and defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Leerick Kelley as a result of the perpetration of the class A felony of unlawful use of a weapon under Section 571.030.1(9), RSMo, committed by defendant.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

State vs. Marques Derrick Smith Jr.

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 on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant, acting alone or in purposeful concert with another, committed the foregoing felony of murder 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.

Count III. Murder 1st Degree (565.020-001Y20200903.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant, after deliberation, acting alone or in purposeful concert with another, knowingly caused the death of Montez L. Mack by shooting him, and that the defendant was eighteen years of age or older at the time of the offense, and the defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Montez L. Mack as a result of the perpetration of the class A felony of unlawful use of a weapon under Section 571.030.1(9), RSMo, committed by defendant.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or

State vs. Marques Derrick Smith Jr.

her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

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 on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant Committed the felony of murder in the first degree charged in Count II, all allegations of which are incorporated herein by reference, and the defendant, acting lone or in purposeful concert with another, committed the foregoing felony of murder 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.

Count V. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building, Resulting In Death Or Injury (571.030-015Y20205213.0)

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 571.030.1(9), RSMo, committed the **class A 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 22, 2022, at East 28th Street and Prospect Ave, in the County of Jackson, State of Missouri, the defendant, acting alone or in purposeful concert with another, knowingly discharged a firearm at another person or persons, Leerick Kelley and Montez Mack, and, as a result of the above described conduct, Leerick Kelley suffered injury or death.

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 actio**n, punishable upon conviction under Section 571.015.1, RSMo, in that on or about on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count V, all allegations of which are incorporated herein by reference, and the defendant, acting alone or in purposeful concert with another, 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/ Lauren Whiston

Lauren Whiston (#66185) Assistant Prosecuting Attorney 415 E. 12th St., 11th Fl Kansas City, MO 64106 (816) 881-4312 lwhiston2@jacksongov.org

State vs. Marques Derrick Smith Jr.

WITNESSES:

- 1. ice, 415 E 12th St, Floor 11, Kansas City, MO 64106
- 2. SGT William J. Hooley, 1125 Locust, Kansas City, MO 64106
- 3. PO Cody J. Johnson, 1125 Locust, Kansas City, MO 64106
- 4. E 12th St, Floor 11, Kansas City, MO 64106
- 5. PO Antoney H. Perez, 1125 Locust, Kansas City, MO 64106
- 6. PO Vincent Reyes, 1125 Locust, Kansas City, MO 64106
- 7. DET Derek M. Sanders, 1125 Locust, Kansas City, MO 64106
- 8. DET Timothy R Taylor, 1125 Locust, Kansas City, MO 64106
- 9. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106
- 10. PO Chelsea E. Weinzatl, 1125 Locust, Kansas City, MO 64106

11. **4**106

CRN: KC22078879

I, Detective Bonita Cannon, #4585, Ka		
(Name and identify law enforcement officer	, or person ha	ving information as probable cause.)
knowing that false statements on this for	rm are punis	shable by law, state that the facts contained herein are true.
I have probable cause to believe that on		, at E. 28 St and Prospect Avenue in (Address)
Kansas City, Jackson	Missouri	Marques D. Smith
(County)	=	(Name of Offender(s))
B/M 07/31/2002 (Description of Identity	y)	committed one or more criminal offense(s).

The facts supporting this belief are as follows:

Date: 11-22-2022

On 11-22-2022 at approximately 1305 hours, Officer with the Kansas City Missouri Police Department were dispatched to 28th Street and Prospect Avenue, Kansas City, Jackson County, Missouri, on a reported shooting.

Upon arrival, officers located two male parties suffering from apparent gunshot wounds with no signs of life. One male victim was located on 28th Street just west of Prospect. The second victim was located on 28th Street just east of Wabash. Both victims were pronounced deceased at the scene by KCFD Pumper #18 Medics at 1315 hours.

Both of the victims died as a result of their injuries. Their deaths were ruled a homicide. Victim #1 had a grocery bag containing diapers wrapped around his right hand.

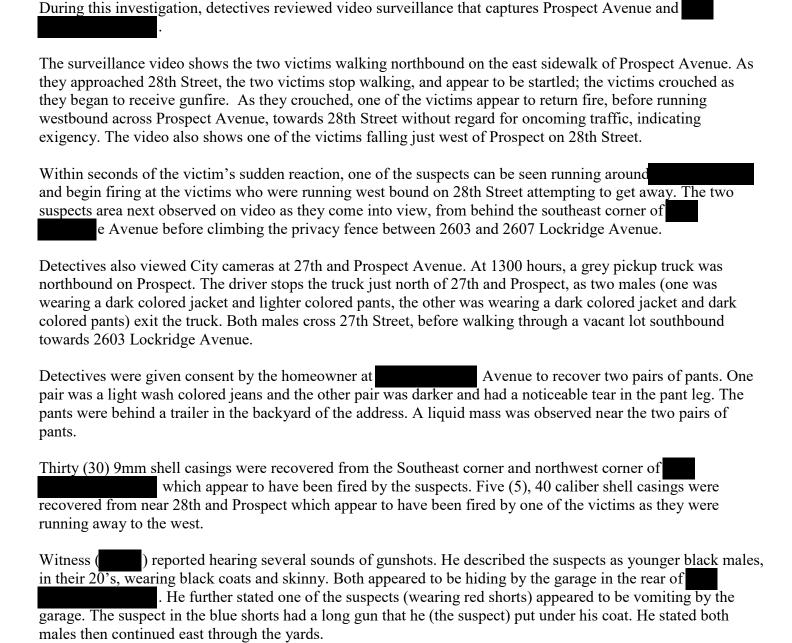
A .223 style rifle was recovered from the ground next to the victim near 28th and Wabash. A black .40 caliber handgun was recovered from the deceased male just west of 28th and Prospect.

As officers were en route to the scene, 911 call takers were receiving and relaying updates from multiple calling parties, reporting that two black males involved in the shooting ran from the scene, jumping fences and running eastbound, behind houses from Prospect on Lockridge Avenue.

Officers en route to the scene observed a male wearing a black jacket and red shorts at 29th and Indiana, as they approached, the male ran behind Bales. The officer lost sight of the male temporarily, however when he located the male, later identified as Marques Smith (B/M 07-31-2002), he observed a second male (wearing a dark colored jacket and blue shorts), later identified as Marquan Smith (B/M 09-30-2004) holding an AR style rifle running back and forth in the same yard as the first male. While giving verbal commands to drop the weapon, both males ran (while jumping fences). Both males were eventually, taken into custody by responding officers.

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The occupants of 2904 Bales provided consent for the officer to look for the rifle, which was recovered from underneath a vehicle on the property. The caliber of the rifle was 9mm.



stated he was awaken by sounds of gunfire. He looked out of his window and observed a male

holding a firearm running eastbound behind his address.

The two males taken into custody, matched the description provided by witnesses; were transported to Police Headquarters, 1125 Locust. Marquan Smith declined to speak with detectives after being advised of his Miranda

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Rights at 1732 hours. While in the interview room, Marquan Smith vomited.
Marques Smith was advised of his Miranda Rights at 1737 hours. He stated he understood his rights. He further stated he and his brother were at work (70th and Prospect) today from 8a-9a until 1p with their her stated them off at 29th and Indiana shortly after 1p. Marques Smith went on to state they were there for "45 seconds before he saw the officers." Marques Smith stated detectives could verify the information he gave us by contacting his uncle
Detectives contacted the suspect's uncle at the suspects () who stated he dropped both of his nephews off in the area of 21st or possibly 26th to 27th and Prospect sometime around 1p. stated he did not recall what they were wearing other than sandal type shoes. Additionally, stated he drove a grey in color Dodge Pick-Up truck similar to the one observed in surveillance video.
In light of the recent incident and recent conduct, the case Detective believes the offender is a danger to himself and the public.
Printed Name Detective Bonita Cannon, #4585 Signature /s/Det. Bonita Cannon, #4585
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 <u>AT KANSAS CITY</u>

POLI	CE NO.:	KC220	78879
PROSECUTO	OR NO.:	095472	313
	OCN:	HU009	817
STATE OF MISSOURI,)
	PLAI	NTIFF,)
vs.)
)
MARQUAN D SMITH)
2011 Spruce Ave) CASE NO. 2216-CR
Kansas City, MO 64127) DIVISION
DOB: 09/30/2004)
Race/Sex: B/M)
)
	DEFEN	DANT.)
	COMP	LAIN'	Т

<u>COMPLAINT</u> WARRANT REQUESTED

Count I. Murder 1st Degree (565.020-001Y20200903.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant, after deliberation, acting alone or in purposeful concert with another, knowingly caused the death of Leerick Kelley by shooting him, and that the defendant was eighteen years of age or older at the time of the offens, and defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Leerick Kelley as a result of the perpetration of the class A felony of unlawful use of a weapon under Section 571.030.1(9), RSMo, committed by defendant.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

State vs. Marquan D Smith

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 on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant, acting alone or in purposeful concert with another, committed the foregoing felony of murder 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.

Count III. Murder 1st Degree (565.020-001Y20200903.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant, after deliberation, knowingly caused the death of Montez L. Mack by shooting him, and that the defendant was eighteen years of age or older at the time of the offense, and the defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Montez L. Mack as a result of the perpetration of the class A felony of unlawful use of a weapon under Section 571.030.1(9), RSMo, committed by defendant.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

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 on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant, acting alone or in purposeful concert with another, committed the foregoing felony of murder 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.

Count V. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building, Resulting In Death Or Injury (571.030-015Y20205213.0)

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 571.030.1(9), RSMo, committed the **class A 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 22, 2022, at East 28th Street and Prospect Ave, in the County of Jackson, State of Missouri, the defendant, acting alone or in purposeful concert with another, knowingly discharged a firearm at another person or persons, Leerick Kelley and Montez L. Mack, and, as a result of the above described conduct, Leerick Kelley suffered injury or death.

State vs. Marquan D Smith

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.)

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 on or about November 22, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count V, all allegations of which are incorporated herein by reference, and the defendant, acting aone or in purposeful concert with another, 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/ Lauren Whiston
Lauren Whiston (#66185)
Assistant Prosecuting Attorney

State vs. Marquan D Smith

415 E. 12th St., 11th Fl Kansas City, MO 64106 (816) 881-4312 lwhiston2@jacksongov.org

WITNESSES:

1.	
	William J. Hooley, 1125 Locust, Kansas City, MO 64106
3.	PO Cody J. Johnson, 1125 Locust, Kansas City, MO 64106
4.	
	, 1125 Locust, Kansas City, MO 64106
6.	PO Vincent Reyes, 1125 Locust, Kansas City, MO 64106
7.	DET Derek M. Sanders, 1125 Locust, Kansas City, MO 64106
8.	DET Timothy R Taylor, 1125 Locust, Kansas City, MO 64106
9.	DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106
10.	PO Chelsea E. Weinzatl, 1125 Locust, Kansas City, MO 64106
11	Street Kansas City MO 64106

CRN: KC22078879

I, Detective Bonita Cannon, #4585, Ka	nnsas Citv N	Missouri Police Department
(Name and identify law enforcement officer		
knowing that false statements on this for	m are punis	shable by law, state that the facts contained herein are true.
I have probable cause to believe that on		, at E. 28 St and Prospect Avenue in (Address)
Kansas City, Jackson County (County)	Missouri	Marquan D. Smith (Name of Offender(s))
B/M 09/30/2004 (Description of Identity	y)	committed one or more criminal offense(s).
	11	

The facts supporting this belief are as follows:

Date: 11-22-2022

On 11-22-2022 at approximately 1305 hours, Officer with the Kansas City Missouri Police Department were dispatched to 28th Street and Prospect Avenue, Kansas City, Jackson County, Missouri, on a reported shooting.

Upon arrival, officers located two male parties suffering from apparent gunshot wounds with no signs of life. One male victim was located on 28th Street just west of Prospect. The second victim was located on 28th Street just east of Wabash. Both victims were pronounced deceased at the scene by KCFD Pumper #18 Medics at 1315 hours.

Both of the victims died as a result of their injuries. Their deaths were ruled a homicide. Victim #1 had a grocery bag containing diapers wrapped around his right hand.

A .223 style rifle was recovered from the ground next to the victim near 28th and Wabash. A black .40 caliber handgun was recovered from the deceased male just west of 28th and Prospect.

As officers were en route to the scene, 911 call takers were receiving and relaying updates from multiple calling parties, reporting that two black males involved in the shooting ran from the scene, jumping fences and running eastbound, behind houses from Prospect on Lockridge Avenue.

Officers en route to the scene observed a male wearing a black jacket and red shorts at 29th and Indiana, as they approached, the male ran behind 2904 Bales. The officer lost sight of the male temporarily, however when he located the male, later identified as Marques Smith (B/M 07-31-2002), he observed a second male (wearing a dark colored jacket and blue shorts), later identified as Marquan Smith (B/M 09-30-2004) holding an AR style rifle running back and forth in the same yard as the first male. While giving verbal commands to drop the weapon, both males ran (while jumping fences). Both males were eventually, taken into custody by responding officers.

CRN KC22078879

The occupants of provided consent for the officer to look for the rifle, which was recovered from underneath a vehicle on the property. The caliber of the rifle was 9mm.
During this investigation, detectives reviewed video surveillance that captures Prospect Avenue and Lockridge Avenue.
The surveillance video shows the two victims walking northbound on the east sidewalk of Prospect Avenue. As they approached 28th Street, the two victims stop walking, and appear to be startled; the victims crouched as they began to receive gunfire. As they crouched, one of the victims appear to return fire, before running westbound across Prospect Avenue, towards 28th Street without regard for oncoming traffic, indicating exigency. The video also shows one of the victims falling just west of Prospect on 28th Street.
Within seconds of the victim's sudden reaction, one of the suspects can be seen running around 2603 Lockridge and begin firing at the victims who were running west bound on 28 th Street attempting to get away. The two suspects area next observed on video as they come into view, from behind the southeast corner of 2603 Lockridge Avenue before climbing the privacy fence between 2603 and 2607 Lockridge Avenue.
Detectives also viewed City cameras at 27th and Prospect Avenue. At 1300 hours, a grey pickup truck was northbound on Prospect. The driver stops the truck just north of 27th and Prospect, as two males (one was wearing a dark colored jacket and lighter colored pants, the other was wearing a dark colored jacket and dark colored pants) exit the truck. Both males cross 27th Street, before walking through a vacant lot southbound towards. Lockridge Avenue.
Detectives were given consent by the homeowner at to recover two pairs of pants. One pair was a light wash colored jeans and the other pair was darker and had a noticeable tear in the pant leg. The pants were behind a trailer in the backyard of the address. A liquid mass was observed near the two pairs of pants.
Thirty (30) 9mm shell casings were recovered from the Southeast corner and northwest corner of Lockridge Avenue which appear to have been fired by the suspects. Five (5), 40 caliber shell casings were recovered from near 28th and Prospect which appear to have been fired by one of the victims as they were running away to the west.
Witness () reported hearing several sounds of gunshots. He described the suspects as younger black males, in their 20's, wearing black coats and skinny. Both appeared to be hiding by the garage in the rear of 2607 Lockridge Avenue. He further stated one of the suspects (wearing red shorts) appeared to be vomiting by the garage. The suspect in the blue shorts had a long gun that he (the suspect) put under his coat. He stated both males then continued east through the yards.
Witness stated he was awaken by sounds of gunfire. He looked out of his window and observed a male

holding a firearm running eastbound behind his address.

The two males taken into custody, matched the description provided by witnesses; were transported to Police

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Headquarters, 1125 Locust. Marquan Smith declined to speak with detectives after being advised of his Miranda Rights at 1732 hours. While in the interview room, Marquan Smith vomited.
Marques Smith was advised of his Miranda Rights at 1737 hours. He stated he understood his rights. He further stated he and his brother were at work (70th and Prospect) today from 8a-9a until 1p with their uncle (He further stated dropped them off at 29th and Indiana shortly after 1p. Marques Smith went on to state they were there for "45 seconds before he saw the officers." Marques Smith stated detectives could verify the information he gave us by contacting his uncle
Detectives contacted the suspect's uncle at the suspects request who stated he dropped both of his nephews off in the area of 21st or possibly 26th to 27th and Prospect sometime around 1p. stated he did not recall what they were wearing other than sandal type shoes. Additionally, stated he drove a grey in color Dodge Pick-Up truck similar to the one observed in surveillance video.
In light of the recent incident and recent conduct, the case Detective believes the offender is a danger to himself and the public.
Printed Name Detective Bonita Cannon, #4585 Signature /s/Det. Bonita Cannon, #4585
The Court finds probable cause and directs the issuance of a warrant this day of
Judge
Circuit Court of County, State of Missouri.