

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

|                         |            |
|-------------------------|------------|
| <b>POLICE NO. :</b>     | KC23020418 |
| <b>PROSECUTOR NO. :</b> | 095474030  |
| <b>OCN:</b>             | HU011946   |

|                              |   |                         |
|------------------------------|---|-------------------------|
| <b>STATE OF MISSOURI,</b>    | ) |                         |
|                              | ) | <b>PLAINTIFF,</b>       |
| <b>vs.</b>                   | ) |                         |
|                              | ) |                         |
| <b>MAKAIL L ROGERS</b>       | ) |                         |
| <b>3411 WYOMING ST</b>       | ) | <b>CASE NO. 2316-CR</b> |
| <b>Kansas City, MO 64111</b> | ) | <b>DIVISION</b>         |
| <b>DOB: 09/29/1994</b>       | ) |                         |
| <b>Race/Sex: B/M</b>         | ) |                         |
|                              | ) |                         |
|                              | ) |                         |
|                              | ) | <b>DEFENDANT.</b>       |

**COMPLAINT**  
**WARRANT REQUESTED**

**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 April 4, 2023, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Carl Stewart 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.

**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 April 4, 2023, in the County of Jackson, State of

**State vs. Makail L Rogers**

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 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 D. Barrett*  
Lauren D. Barrett (#62062)  
Assistant Prosecuting Attorney  
415 East 12th Street  
7M Floor  
Kansas City, MO 64106  
(816) 881-3527  
lbarrett@jacksongov.org

**WITNESSES:**

1. [REDACTED]  
[REDACTED], Kansas City, MO 64106
3. Carl Stewart, Address in the Care of the Prosecuting Attorney's Office

**PROBABLE CAUSE STATEMENT FORM**

Date: 04/04/2023

CRN: KC23020418

I, Detective Josh Gantt #5772  
(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 04/04/2023, at 8601 Hillcrest Road in  
(Date) (Address)

Kansas City, Jackson Missouri Makail Rogers  
(County) (Name of Offender(s))

B/M 09/29/1994 committed one or more criminal offense(s).  
(Description of Identity)

The facts supporting this belief are as follows:

On 04-04-2023, at 0500 hours, Officers of the Kansas City Missouri Police Department were dispatched on a reported Armed Disturbance that was upgraded to a Shooting located at 8601 Hillcrest Road in Kansas City, Jackson County, Missouri.

The 911 call contained the following information: At 0458 hours, the reporting party (RP), [REDACTED] of the dispatched location, called 911 and advised he wanted to report a shooting in room 102. The RP said he heard sounds of a disturbance coming from room 102. As the RP approached the door, he could hear someone inside telling him to open the door. The RP utilized a key and opened the door to see two male parties engaged in a physical struggle. The RP recognized both parties to have checked in together earlier in the night. The RP said upon opening the door, he observed one of the males with whom he described as a "short, fat" black male with a long pony tail, wearing a hat and red shorts, armed with a firearm. The RP said he immediately shut the door and responded to the desk to call 911. The RP said he then heard several gunshots.

Upon arrival to the scene, Officers made entry through the open door of hotel room number 102. Officers located an unknown male victim, laying facedown on a mattress that had been removed from the box springs. Officers observed a defect on the back of the victim's neck. Officers then pulled the victim off the mattress to render aid and observed several apparent defects to the front of the victim's body as well. KCFD arrived on scene and later confirmed the victim deceased at 0512 hours.

As more Officers arrived on scene, additional information was provided by the RP to include the location of the suspect. The RP could see the suspect on foot in an open, grassy lot to the south of the dispatched location. The RP also advised Officers the suspect was wearing a white shirt and was armed with a handgun occupying his left pocket.

A foot pursuit ensued between Officers and the suspect through the open lot, south of the dispatched location. The suspect and Officers exchanged gunfire at E. 87<sup>th</sup> Street underneath the Highway 435 South bridge overpass. The suspect, identified as **MR**, was taken into custody without further incident. Upon taking **MR** into custody, Officers located an empty firearm underneath his body and a spent WIN .40 caliber spent shell casing underneath his face. Also recovered near **MR** was a pair of red tennis shoes, an empty extended magazine with a capacity of holding (22) .40 caliber live rounds, an empty black firearm holster, US currency and miscellaneous items. **MR** was transported to a local hospital and was treated for minor injuries to his ankle. **MR** was then transported to the Metro Patrol Division Detention unit for booking.

## PROBABLE CAUSE STATEMENT FORM

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Detectives spoke with the RP (witness #1) and in addition to the information provided during the 911 call, the witness #1 also advised the following: The suspect and victim checked in together to room #102 on 04-04-2023 at approximately 0000 hours. Witness #1 stated the suspect was highly intoxicated and at one point that morning, he and the suspect had a minor argument after he observed the suspect behind the front desk, a place designated for employees only. Witness #1 stated the victim was standing just outside of room #102 and called the suspect back to the room, which de-escalated the argument. Witness #1 stated he went outside to [REDACTED], and as he returned inside he heard what he thought could have been the sound of two gunshots coming from an unknown direction. As witness #1 proceeded inside toward [REDACTED] he heard another gunshot, which convinced witness #1 that he was hearing the sound of gunfire. As witness #1 proceeded west down the hallway, he heard the sound of the victim pleading for help and a physical altercation inside room #102. Witness #1 could tell the victim was yelling, as he remembered the sound of the victim's and suspect's voices during check in and was able to distinguish between the two. Witness #1 used his universal room key to open the door to room #102. The witness stood outside the room, but with the door open was able to see the victim attempting the gain control of the suspect's arm, as well as a few small, approximately dime sized drops of blood on the floor in the room. Witness #1 stated the victim was unable to maintain control, and the suspect was able to free his arm. As the suspect brought his arm up, the same arm which the victim was attempting to control previously, witness #1 observed a black handgun in the suspect's hand. As the victim and the suspect continued to struggle, the gun became inadvertently pointed toward the room doorway, where witness #1 was standing. Witness #1 ran back [REDACTED] t [REDACTED] as he called police. While on the phone with police, witness #1 heard three or four more gunshots from room #102. While waiting for Officers, witness #1 observed the suspect entering the hotel through the front (south) door. Witness #1 observed the suspect to have blood on his face and shirt, breathing heavily, and to have a black handgun in his pocket which was clearly visible. Witness #1 believed it to be the same gun he saw in the suspect's hand inside room #102. As the suspect approached [REDACTED], the suspect asked witness #1 [REDACTED]. Being fearful of the suspect, witness #1 pushed the suspect away and ran to the third floor. Witness #1 went to hide inside room #330, which was unoccupied. Witness #1 looked through a window in room #330 to see the suspect walking along the east side of the hotel exterior headed south.

Surveillance video revealed **MR** falling out of the window associated with room 102. **MR** is observed to approach the victim's vehicle and fire into the driver side window with his left hand. **MR** then rummages through the broken window, but does not appear to take anything with him. **MR** attempts to then climb back through the window of 102, but failed. **MR** is then observed to walk east through the parking lot and enter the front lobby. The surveillance video captures **MR** to be a black male with a shoulder length pony tail, dressed in a white shirt, a multi-colored long sleeved jacket, red shorts and red tennis shoes. **MR** is captured walking down the first floor west hallway toward room 102. In the video, a dark colored object is observed protruding from **MR**' left pocket. Upon arriving at the door, **MR** forcefully attempts to make entry three different times, however, he was unsuccessful. **MR** exited the side door located next to room 102, on the south side of the building. **MR** is then captured climbing back through the window of 102 and a minute later exiting the front door of 102. **MR** is later captured exiting the east side door where Officers pursued him.

While executing a search warrant of room 102, the deceased victim was observed to be laying in supine position just inside the doorway with multiple defects to his body to include the face, right clavical, neck, center chest, right wrist and pelvis. Several .40 caliber spent shell casings were observed scattered throughout the room and were later recovered by crime scene personnel. While processing the exterior window of room 102 where the suspect is observed to fall through, several items (cell phones, a few \$1 bills and a hotel room key) were located in the landscaping rocks beneath the window. The victim's vehicle was observed in the parking lot with a broken driver side window.

**MR** was read his Miranda Rights and subsequently advised he understood what was read aloud to him. **MR** advised he and the victim were at the victim's apartment off Manchester when the two decided to go to 8601 Hillcrest Road. The victim rented one hotel room for himself and the victim sometime around 10pm. **MR** said he was awakened to the victim "man-handling" him in a sexual nature at gunpoint. **MR** stated the victim pointed a black handgun at his head as **MR** was laying on the floor near the foot of the bed. **MR** stated that the victim, while standing over him, fired four shots at **MR**, missing with each shot. **MR** was able to disarm the victim and rise to his feet while taking the victim to the floor. **MR** stated that once he had control of the gun, with the victim on the floor, he fired four shots at the victim and continued firing at the

**PROBABLE CAUSE STATEMENT FORM**

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victim as **MR** exited the room. **MR** stated he left the hotel following the shooting and did not return. As **MR** was walking away, he encountered police, who yelled for him to lay on the ground, which he did. **MR** also stated he did not shoot at police and that he was unsure if police shot at him, due to being "out of it."

Printed Name Det. Josh Gantt #577 Signature /s/ Det. Josh Gantt #5772

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

\_\_\_\_\_  
Judge

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