

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

POLICE NO. :	KC23008302
PROSECUTOR NO. :	095474365
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
DAMYON D COOK (AKA DAYMON COOK))	
1501 Thomas Ave.)	CASE NO. 2316-CR
Grandview, MO 64030)	DIVISION
DOB: 12/23/1998)	
Race/Sex: B/M)	
S.S.N.: XXX-XX-7351)	
)	DEFENDANT.

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 on or about February 8, 2023, in the County of Jackson, State of Missouri, the defendant, with the purpose of causing serious physical injury to Deondrea M. Brand, caused the death of Deondrea M. Brand by shooting her.

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

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571.015.1, RSMo, in that on or about on or about February 8, 2023, 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. 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 on or about February 8, 2023, in the County of Jackson, State of Missouri, the defendant, with the purpose of causing serious physical injury to Derrick L. Rich, caused the death of Derrick L. Rich 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 IV. Armed Criminal Action (571.015-001Y20205213.0)

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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 February 8, 2023, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count III, 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 V. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim
(565.050-001Y20201304.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the class A felony assault in the first degree, punishable upon conviction under Sections 558.011, RSMo, in that on or about on or about February 8, 2023, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [REDACTED] by shooting [REDACTED].

An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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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 action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about on or about February 8, 2023, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault 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.

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.

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JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

/s/ John G. Gromowsky

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Assistant Prosecuting Attorney
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Kansas City, MO 64106
(816) 881-3319
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WITNESSES:

1. [REDACTED] Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. Deondrea M. Brand, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
3. CST Leah Davis, 2645 Brooklyn Ave., Kansas City, MO 64127
4. CIV Trenita Drummer, 2645 Brooklyn, Kansas City, MO 64127
5. DET Clyde M. Harvey Jr., 1125 Locust, Kansas City, MO 64106
6. [REDACTED], Floor 11, Kansas City, MO 64106
7. PO Zackery Jenkins, 1125 Locust, Kansas City, MO 64106
8. CIV Darin Lee, 901 Charlotte St, Kansas City, MO 64106
9. LBT Tiffany Lewis, 1125 Locust, Kansas City, MO 64106
10. PO Samantha J. Mohler-Peters, 1125 Locust, Kansas City, MO 64106
11. DET Jacquelyn R. Mutschler, 1125 Locust, Kansas City, MO 64106
12. [REDACTED], MO 64106
13. CST Lori Nelson (Collado), 2645 Brooklyn Ave, Kansas City, MO 64127
14. PO Davonte G Porter, 1125 Locust, Kansas City, MO 64106
15. Derrick L. Rich, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
16. CST Marisa Smith, 1125 Locust, Kansas City, MO 64106
17. SGT Christopher L. Toigo, 1125 Locust, Kansas City, MO 64106
18. PO Clayton True, 1125 Locust, Kansas City, MO 64106
19. [REDACTED], Floor 11, Kansas City, MO 64106
20. DET Ephraim Vega, 1125 Locust, Kansas City, MO 64106
21. PO Kayla Wagaman, 1125 Locust, Kansas City, MO 64106
22. PO Allan E. Walker-Perkinson, 1125 Locust, Kansas City, MO 64106
23. CIV Robin Wright, 2645 Brooklyn Avenue, Kansas City, MO 64127
24. [REDACTED] 12th St, Floor 11, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 05/02/2023

CRN: KC23008302

I, Detective J. Mutschler #5594
(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 02/08/2023, at 5217 E 28th Terrace in
(Date) (Address)

Kansas City, Jackson Missouri Damyon D. Cook
(County) (Name of Offender(s))

B/M 12/23/1998 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 02/08/2023 at 2136 hours, Officers were dispatched to 5217 E 28th Terrace Kansas City, Jackson County, Missouri on a reported armed disturbance. The call notes advised approximately twenty gunshots were fired into the residence by occupant(s) of an unknown vehicle that was last seen east bound. Upon arrival, Officers observed a blue Ford Explorer E150 van parked in the driveway between 5215 E 28th Terrace and 5217 E 28th Terrace. Damage was observed to the Ford van and two parties were located inside; a male victim 1 and a female victim 2 who were both suffering from apparent gunshot wounds. Victim 2 was removed from the van where life saving measures were attempted by KCFD personnel. Both parties were ultimately declared deceased on scene. Officers advised there was a firearm in the Ford Explorer van near victim 1 and victim 2 that was moved to the front passenger seat. There was also a firearm located inside the shirt pocket of victim 2. A pair of pants were located near the Ford van that were later determined to belong to victim 3. Multiple shell casings were observed in the front yard, along the west side of the driveway and the sidewalk in front of 5215 E 28th Terrace. Also, shell casings were located in the street.

While Officers were on scene, they were advised two parties suffering from gunshot wounds arrived at a local area hospital; one of the parties was reportedly not wearing pants. Detectives responded to the scene and the area hospital where the two living victims were being treated for their injuries; victim 3 and victim 4.

A Search Warrant was obtained for the Ford Explorer E140 van which yielded items of evidentiary value such as a green leafy substance in clear bags, drug paraphernalia and US currency.

Surveillance video was obtained which showed a dark colored, two door sedan with black rims, a red light illuminated on the rear passenger quarter panel and a low third brake light travel east bound on 28th Terrace and park in the street in front of 2517 E 28th Terrace. Three individuals were observed coming from the area where the vehicle parked and walk towards the listed address. Parties were observed walking back and forth between the suspect vehicle while it was parked in the roadway. After approximately fourteen minutes, two individuals

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walked from the suspect vehicle to the passenger side of the blue Ford Explorer E150 van, where it appeared a commotion occurred inside or on the passenger side of the van due to a sudden influx of quick movements. What appeared to be muzzle flash was observed near the front passenger side door which were followed by apparent muzzle flashes from either the inside or on the passenger side of the van. Two individuals were observed moving from the passenger side of the van to the front of the van where one of the individuals stopped walking and was observed continuing to shoot a firearm in the direction of the van. The male observed shooting the firearm in the direction of the van was observed getting into the driver's side of the suspect vehicle while the second party got into the passenger side of the suspect vehicle. A third party was observed running into camera view from the south, north bound where they were observed entering the passenger side of the vehicle. The vehicle was last seen east bound out of camera view.

Throughout the investigation, Detectives contacted victim 3 who advised he was sitting in the van with victim 1, victim 2 and victim 4 at the listed location. While victim 3 was at the listed location, a friend named "Duke", later identified as Damyon Cook B/M 12/23/1998, who sold drugs, to include "K2", came over. Victim 3 advised he attempted to call Cook earlier in the day, but was unable to get a hold of him by phone. Victim 3 stated Cook was with another male. Victim 3 advised Cook was near the passenger side double doors of the van, but could not account for the exact location the other male was standing. Victim 3 stated while Cook was standing at the passenger side double doors of the van, he sold victim 1 a "couple ounces" of K2, which victim 1 paid approximately \$300-\$400 for. Victim 3 further advised he observed money being counted followed by gunshots that started outside of the passenger side of the van. Victim 3 stated victim 1 shot back using a handgun towards the area outside of the van where Cook had been previously standing.

While Detectives were speaking with victim 3, he stated approximately a month prior, Cook told him that he had recently been arrested in Kansas during an incident that was described to include the charges. Information was obtained regarding a similar incident and the involved party was Damyon Cook B/M 12/23/1998.

In a later interview with victim 3, he was shown a photograph of Cook and asked if that was Duke, which he indicated it was.

During the investigation, I was contacted by [REDACTED] by phone and he advised he received information that victim 3 advised Cook, who he referred to as Duke, "did it" and stated it was because he owed him money for drugs. [REDACTED] further advised victim 3 was put out of his residence by his girl-friend and that was why he was staying in the van. [REDACTED] stated victim 3's girl-friend was also seeing Cook. [REDACTED] also stated Cook told victim 3 he was going to take his girl and his business; drug sales such as "crack", "weed", and "K2".

Throughout the investigation, contact was made with victim 3's girl-friend, [REDACTED] advised she had been dating victim 3 and he introduced her to Cook, who she referred to as Duke, a few months prior. During this time, [REDACTED] stated she and Cook developed feelings for each other. [REDACTED] advised victim 3 was cheating on her with victim 2, and victim 3 knew she was talking to Cook. [REDACTED] stated she kicked victim 3 out of her residence one to two months prior and advised he was staying in his van off of 28th Terrace. While victim 3 was out of the residence, [REDACTED] stated she was talking to Cook and the two had went out the day of the incident. During this time, Cook informed her he was no longer "messaging" with victim 3. [REDACTED] advised Duke was driving a black Camaro that was missing the hood over the engine compartment when he picked her up. [REDACTED] stated Cook was known to carry a tan handgun,

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possibly a Glock. During the interview, a booking photograph of Damyon Cook B/M 12/23/1998 was shown to [REDACTED], and she advised that was Duke.

On 02/18/2023, Cook was involved in an accident while driving a black 2002 Chevrolet Camaro bearing a Missouri temporary tag, 06G71B, that did not have a hood over the engine compartment.

Lab requests were submitted on the shell casings recovered from the scene. Lab Report #10 indicated the genetic profile of Damyon Cook B/M 12/23/1998 was developed on item 42, swab of the 9mm casings from the street and west side of the vehicle, through his CODIS profile.

On 05/04/2023, Damyon Cook was apprehended and transported to Headquarters. Cook was read his Miranda Warning, advising he understood his rights. During the interview, Cook denied knowing any of the victims, he denied knowing or dating [REDACTED], he denied any involvement in the double murder and further denied ever being in that area. Cook originally denied driving a black Chevrolet Camaro, but when confronted, he stated he only drove it on the day of the injury accident.

During the interview, Cook advised he had been wearing an ankle monitor which was provided through Northland Dependency Services. Information was gathered which indicated Cook has failed to charge his ankle monitor and in doing so, his GPS locations were obtained through an application on his cell phone. On 02/08/2023, Cook's cell phone was observed at the 5200 block of E 28th Terrace two different times prior to the double murder.

Printed Name Detective J. Mutschler #5594 Signature /S/ Detective J. Mutschler #5594

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

Judge

Circuit Court of _____ County, State of Missouri.