

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	23-004489
PROSECUTOR NO. :	095474974
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
CARLY A. RUDOLPH)	
21117 E 50th Terr. S.)	CASE NO. 2316-CR
Blue Springs, MO 64015)	DIVISION
DOB: 01/01/2001)	
Race/Sex: W/F)	
<div style="background-color:black; width:200px; height:15px;"></div>)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Involuntary Manslaughter-2nd Degree (565.027-001Y20200909.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.027, RSMo, committed the **class E felony of involuntary manslaughter in the second degree**, punishable upon conviction under Sections 558.011 and 558.002, RSMo, in that on or about June 24, 2023, in the County of Jackson, State of Missouri, the defendant caused the death of C.S. by striking him with a motor vehicle and did so with criminal negligence in that the defendant entered an intersection without stopping at a stop sign nor ensuring that it was safe to exercise a negative right of way.

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.

State vs. Carly A Rudolph

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/ Ryan L Miller
Ryan L Miller (#72036)
Assistant Prosecuting Attorney
415 East 12th Street
11th Floor
Kansas City, MO 64106
(816) 881-3665
rlmiller@jacksongov.org

WITNESSES:

1. DET Chad Cox, 10 NE Tudor, Lees Summit, MO 64086
2. PO Dixon Ethington, 10 NE Tudor, Lee's Summit, MO 64086
3. PO Chance Fulford, 10 NE Tudor Road, Lees Summit, MO 64086
4. SGT John Kudzinski, 10 NE Tudor, Lee's Summit, MO 64086
5. PO Derrick Liggett, 10 NE Tudor, Lee's Summit, MO 64086

6. [REDACTED]

[REDACTED]

[REDACTED] 11, Kansas City, MO 64106

STATEMENT OF PROBABLE CAUSE

LSPD Complaint: 1-23-4489

Date: 06-24-2023

I, Derrick Liggett, an investigator with the Lee's Summit, Missouri Department of Police, upon my oath, and under penalties of perjury, state as follows:

1. I have probable cause to believe that on 06-24-2023, at NE Leinweber and NE Todd George Parkway City of Lee's Summit, Jackson County, Carly Ann Rudolph, W/F, 01-01-2001 committed one or more criminal offenses.
2. The facts supporting this belief are as follows:

On 06-24-2023 at 1804 hours Lee's Summit Police Dispatch received 911 calls in regards to an injury crash at NE Leinweber and NE Todd George Parkway. The first caller, James Westmoreland, advised a silver vehicle had struck a motorcycle and the motorcycle driver was still laying down. Another caller, Holly Tidwell, advised the motorcycle driver appeared to have multiple broken bones and appeared to be unresponsive. Jackson County Deputy, A. Wilbanks #85, also drove upon the scene immediately after the crash and began CPR. Lee's Summit Fire Department arrived on the scene and transported the victim, Christopher M. Silvers, to Centerpoint Medical Center where he was pronounced deceased.

Sgt. Jennifer Kudzinski arrived on the scene and contacted James. James stated he was traveling East on NE Leinweber Road and had stopped at the stop sign at NE Leinweber and NE Todd George Parkway. James stated he saw the motorcycle traveling south on Todd George Pkwy. James stated the motorcycle appeared to be traveling the speed limit. James stated he then saw a Silver Toyota Corolla traveling West on NE Leinweber. James stated the Toyota appeared to be traveling very fast and the Toyota did not appear to slow down or attempt to stop before it entered the intersection and struck the motorcycle. James stated the motorcyclist was ejected from the motorcycle and landed in the ditch.

Sgt. J. Kudzinski then contacted the driver of the Toyota, Carly A. Rudolph, who admitted to consuming an alcoholic beverage prior to the crash.

Investigator Liggett arrived and spoke with Carly. Carly stated she and her passenger, Carlie A. Wise, had been at Lake Jacomo Shelter #14 prior to the crash. Carly stated they had been swimming and hanging out with friends. Carly stated she had consumed one Twisted Tea, which is an alcoholic beverage. Carly also stated she had "vaped" with a vape pen that contained marijuana wax approximately 3-4 hours ago. Investigator Liggett noted an odor of an alcoholic beverage coming from Carly's breath and her eyes were bloodshot and glassy. Investigator Liggett also noted Carly's speech was slow when she spoke.

Traffic Officer Fulford arrived on the scene and began his driving while intoxicated investigation. While speaking with Carly, TO Fulford noted an odor of an alcoholic beverage coming from her breath. TO Fulford also noted Carly's eyes were bloodshot and her eyelids were droopy. Carly also admitted to TO Fulford that she had consumed alcohol and smoked "a hit" of a THC cartridge prior to the crash. TO Fulford had Carly perform field sobriety tests with the following observations:

Horizontal Gaze Nystagmus:

- Eyes tracked equally
- Pupils of equal size
- No smooth pursuit - Observed in both eyes
- Distinct and sustained Nystagmus at maximum deviation - Observed in both eyes
- Onset prior to 45 degrees with some white showing - Observed in both eyes - Angle of onset was at 40 degrees

Walk and turn:

- Stopped while walking to steady self - Step 9 on the first set of 9 steps - Step 1 and 6 on the second set of 9 steps
- Did not touch heel to toe (missed by more than 1/2 inch) - Step 3 on the first set of 9 steps - Step 1 on the second set of 9 steps
- Made improper turn - Did not leave lead foot planted - Used both feet to turn around and took steps backward
Carly did not count out loud during this test.

One leg stand:

- Stood on the right foot
During this test, TO Fulford observed that Carly had body tremors in Carly's right leg.

Lack of convergence:

- Eyes crossed to the nose - Normal

Modified Romberg Balance Test:

- Carly ended the test 40 seconds after being told to begin. This indicated that her internal clock was slow.
- Eyelid tremors were present during this test - This is an indicator of use for the drug category of Cannabis

TO Fulford requested Carly provide a sample of her breath into the PBT and she agreed. Carly provided a sample of her breath with a result of 0.093% Breath Alcohol Concentration.

Due to the totality of TO Fulford's observations, he placed Carly under arrest for driving while intoxicated. TO Fulford read Carly Missouri's Implied Consent and requested a sample of her blood. Carly agreed and was transported to Lee's Summit Medical Center. At Lee's Summit Medical Center, Phlebotomist T. Walker withdrew two vials of blood from Carly. TO Fulford transported Carly to the Lee's Summit Detention where he read Carly Missouri's Implied Consent again and requested a sample of her breath. Carly agreed and provided a sample of her breath at 2038 hours which showed her BrAC to be 0.058%. The breath test was 2 hours and 38 minutes after the crash.

Derrick Liggett #1406

Name

/s/ Derrick Liggett

Signature