



# IN THE 16TH JUDICIAL CIRCUIT, JACKSON COUNTY, MISSOURI

|                                                                                                                                              |  |                                                                                                                                                 |                                                                                                                              |
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| Judge or Division:<br>JOEL P FAHNESTOCK                                                                                                      |  | Case Number: 2416-CR04778-01                                                                                                                    | <b>FILED</b><br><b>DIVISION 09</b><br><b>05-Feb-2025 14:11</b><br>CIRCUIT COURT OF JACKSON COUNTY, MO<br>BY <i>Maddalena</i> |
|                                                                                                                                              |  | <input type="checkbox"/> Change of Venue<br>County:<br>Case Number:                                                                             |                                                                                                                              |
|                                                                                                                                              |  | Offense Cycle No.:                                                                                                                              |                                                                                                                              |
| State of Missouri<br><br>vs.<br><br>Defendant:<br>MARCUS A BELL JR                                                                           |  | Prosecuting Attorney/MO Bar No.:<br>John G. Gromowsky Bar Number:<br>50700<br><br>Defense Attorney/MO Bar No.:<br>Joshua Boge Bar Number: 75418 |                                                                                                                              |
| DOB: 22-FEB-1990 SSN: XXX-XX-5304                                                                                                            |  | Appeal Bond Set Date:                                                                                                                           |                                                                                                                              |
| <input type="checkbox"/> Pre-Sentence Assessment Report Ordered<br><input checked="" type="checkbox"/> Pre-Sentence Assessment Report Waived |  | Amount:                                                                                                                                         |                                                                                                                              |

## Judgment

|                                                                                                                                                                             |                                      |                                            |                                                                                                                                                                                                                                                             |                            |                                       |                            |                            |                            |                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------|----------------------------|----------------------------|----------------------------|--------------------------------------------------|
| Count No. I                                                                                                                                                                 | <input type="checkbox"/> Misdemeanor | <input checked="" type="checkbox"/> Felony | Class                                                                                                                                                                                                                                                       | <input type="checkbox"/> A | <input checked="" type="checkbox"/> B | <input type="checkbox"/> C | <input type="checkbox"/> D | <input type="checkbox"/> E | <input type="checkbox"/> Unclassified            |
| Charge Description: Unlawful Use Of Weapon - Subsection 9 - Shoot<br>At/From Mv, At Person, Mv, Bldg<br>Charge Code: 571.030-020Y20205213.0<br>Date of Offense: 24-OCT-2024 |                                      |                                            | On this count, it is adjudged that Defendant has been:<br><input type="checkbox"/> Found guilty upon a plea of guilty<br><input type="checkbox"/> Found guilty by a jury/court<br><input checked="" type="checkbox"/> Dismissed/Nolle pros/found not guilty |                            |                                       |                            |                            |                            |                                                  |
| Count No. II                                                                                                                                                                | <input type="checkbox"/> Misdemeanor | <input checked="" type="checkbox"/> Felony | Class                                                                                                                                                                                                                                                       | <input type="checkbox"/> A | <input type="checkbox"/> B            | <input type="checkbox"/> C | <input type="checkbox"/> D | <input type="checkbox"/> E | <input checked="" type="checkbox"/> Unclassified |
| Charge Description: Armed Criminal Action<br>Charge Code: 571.015-001Y20205213.0<br>Date of Offense: 24-OCT-2024                                                            |                                      |                                            | On this count, it is adjudged that Defendant has been:<br><input type="checkbox"/> Found guilty upon a plea of guilty<br><input type="checkbox"/> Found guilty by a jury/court<br><input checked="" type="checkbox"/> Dismissed/Nolle pros/found not guilty |                            |                                       |                            |                            |                            |                                                  |
| Count No. III                                                                                                                                                               | <input type="checkbox"/> Misdemeanor | <input checked="" type="checkbox"/> Felony | Class                                                                                                                                                                                                                                                       | <input type="checkbox"/> A | <input checked="" type="checkbox"/> B | <input type="checkbox"/> C | <input type="checkbox"/> D | <input type="checkbox"/> E | <input type="checkbox"/> Unclassified            |
| Charge Description: Unlawful Possession Of A Firearm - Dangerous<br>Felon/Prior Conviction<br>Charge Code: 571.070-003Y20245212.0<br>Date of Offense: 24-OCT-2024           |                                      |                                            | On this count, it is adjudged that Defendant has been:<br><input checked="" type="checkbox"/> Found guilty upon a plea of guilty<br><input type="checkbox"/> Found guilty by a jury/court<br><input type="checkbox"/> Dismissed/Nolle pros/found not guilty |                            |                                       |                            |                            |                            |                                                  |

Defendant has been found beyond a reasonable doubt to be a:

- |                                                                                                     |                                                                                                |
|-----------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Persistent Sexual Offender (566.125, RSMo)                                 | <input type="checkbox"/> Predatory Sexual Offender (566.125, RSMo)                             |
| <input type="checkbox"/> Persistent Drug Offender (579.170, RSMo)                                   | <input type="checkbox"/> Prior Drug Offender (579.170, RSMo)                                   |
| <input type="checkbox"/> Persistent Misdemeanor Offender (558.016, RSMo)                            | <input type="checkbox"/> Dangerous Offender (558.016, RSMo)                                    |
| <input type="checkbox"/> Persistent Offender (558.016, RSMo)                                        | <input type="checkbox"/> Prior Offender (558.016, RSMo)                                        |
| <input type="checkbox"/> Persistent Assault Offender (565.079, RSMo)                                | <input type="checkbox"/> Prior Assault Offender (565.079, RSMo)                                |
| <input type="checkbox"/> Persistent Offender (Intoxication-related Traffic Offense) (577.001, RSMo) | <input type="checkbox"/> Prior Offender (Intoxication-related Traffic Offense) (577.001, RSMo) |
| <input type="checkbox"/> Aggravated Offender (577.001, RSMo)                                        | <input type="checkbox"/> Aggravated Boating Offender (577.001, RSMo)                           |
| <input type="checkbox"/> Chronic Offender (577.001, RSMo)                                           | <input type="checkbox"/> Chronic Boating Offender (577.001, RSMo)                              |
| <input type="checkbox"/> Habitual Offender (577.001, RSMo)                                          | <input type="checkbox"/> Habitual Boating Offender (577.001, RSMo)                             |
| <input checked="" type="checkbox"/> Not Applicable                                                  | <input type="checkbox"/> Person ineligible for SIS/SES Probation (557.045, RSMo)               |

**on February 05, 2025.**

The court:

- ☒ Informs Defendant of verdict/finding, asks Defendant whether he/she has anything to say why judgment should not be pronounced, and finds that no sufficient cause to the contrary has been shown or appears to the court.
- ☒ Defendant has been advised of his/her rights to file a motion for post-conviction relief pursuant to Rule 24.035/29.15 and the court has found
- ☐ Probable cause    ☒ No probable cause
- to believe that Defendant has received ineffective assistance of counsel.
- ☐ Finds Defendant has pled or been found guilty of a dangerous felony, as defined in section 556.061, RSMo, and if committed to the Department of Corrections, must serve at least 85% of the sentence.
- ☐ Finds Defendant has pled or been found guilty of an offense for which probation and parole are not authorized.
- ☐ Finds Defendant has pled or been found guilty of an offense that is subject to lifetime supervision pursuant to section 217.735 or 559.106, RSMo, and Defendant must be supervised by Division of Probation and Parole for the duration of natural life, unless terminated after offender reaches age 65 or older.
- ☐ Finds Defendant has pled or been found guilty of an offense that is subject to an extended term of imprisonment.

On count III the court:

- ☐ Suspends imposition of sentence. Defendant is placed on probation for a period of \_\_\_\_\_ under the supervision of \_\_\_\_\_. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- ☒ Sentences and commits Defendant to the custody of Missouri Department of Corrections – Division of Adult Institutions for a period of fifteen (15) years.
- Sentence to be served
- ☐ Concurrent                      ☐ Consecutive                      with all other counts
- ☐ Sentences and commits Defendant to the custody of the Missouri Department of Corrections – Division of Adult Institutions for a period of years, Pursuant to 559.115 RSMo 120 – Day Program.
- ☐ Suspends execution of sentence. Defendant is placed on probation for a period of years under the supervision of Missouri Probation and Parole. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- ☐ Fines Defendant \$ \_\_\_\_\_. The court stays \$ \_\_\_\_\_ with the remainder due by \_\_\_\_\_ (date).

The court orders:

- ☐ Clerk to deliver a certified copy of the judgment and commitment to the sheriff.
- ☐ Clerk to send certified copy of the judgment or order to Children's Division and prosecuting attorney. Children's Division shall list the individual as a perpetrator of child abuse or neglect in the central registry.
- ☐ Sheriff to authorize one additional officer/guard to transport Defendant to the Department of Corrections.
- ☒ That judgment is entered in favor of the state of Missouri and against Defendant for the Crime Victims Compensation Fund for the sum of  
☐ \$10.00 ☐ \$46.00 ☒ \$68.00.
- ☐ Judgment for the state of Missouri and against Defendant for appointed counsel services in the sum of \$ \_\_\_\_\_.
- ☐ Satisfied ☐ Unsatisfied
- ☐ Judgment for restitution in the sum of \$  
☐ Satisfied ☐ Unsatisfied
- ☐ Costs taxed against Defendant.
- ☒ Costs waived.
- ☒ Public Defender Lien is waived.
- ☐ Defendant to report immediately to the \_\_\_\_\_ Department for fingerprinting. Defendant is ordered to submit to the fingerprinting, and is further ordered to provide all information necessary for the officer taking the fingerprints to fully complete all identification and photograph portions of the standard fingerprint cards.
- ☐ Defendant to register as a sex offender with the chief law enforcement official of the county or city not within a county in which he/she resides within three (3) business days of adjudication, release from incarceration, or placement on probation.
- ☒ Pursuant to section 558.031.2, RSMo, Defendant shall receive credit of **92 days** toward the service of Defendant's sentence, for time spent in prison, jail, or custody after the offense occurred and before conviction.

The court recommends placement into a Department of Corrections program:

- ☐ 120-Day Program (Section 559.036, RSMo) Department of Corrections shall provide a report prior to the 120<sup>th</sup> day.
- ☐ 120-Day Program (Section 559.115.3, RSMo) Department of Corrections shall provide a report and may provide recommendations whether probation should be granted 30 days prior to the 120<sup>th</sup> day. (Statutory Discharge)
- ☐ Sexual Offender Assessment (Section 559.115.5, RSMo) (Mandatory if Defendant has pled guilty or been found guilty of sexual abuse, class B felony.) Upon completion of the assessment, Department of Corrections shall provide a report and may provide recommendations whether probation should be granted.
- ☐ Section 217.785, RSMo, Non-Institutional Post Conviction Drug Treatment Program
- ☐ Section 217.785, RSMo, Institutional Post Conviction Drug Treatment Program
- ☐ Section 217.362, RSMo, Court Ordered Long-Term Substance Abuse Program

The court further orders: \_\_\_\_\_

- ☐ Defendant is placed on house arrest with electronic monitoring for a period of \_\_\_\_\_.  
☐ All costs associated to the electronic monitoring shall be charged to Defendant.
- ☐ Defendant is unable to afford the costs associated with electronic monitoring. All costs associated with electronic monitoring will be paid by the county commission.

**SO ORDERED:**

February 05, 2025

Date

*Joel Fahnestock*  
Judge

I certify that the above is a true copy of the original Judgment and Sentence of the court in the above cause, as it appears on record in my office.

COURT SEAL OF



JACKSON COUNTY

Issued on February 05, 2025  
Date

*Madden*  
Judicial Administrative Assistant

