

PROBABLE CAUSE STATEMENT FORM

Date: 02/20/2025

CRN: 25008374

I, Detective Peter Neukirch 5561, Homicide Unit, Kansas City Missouri Police Department
(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 02/10/2025, at [REDACTED] in
(Date) (Address)

Kansas City, Jackson Missouri Herring, Kevin
(County) (Name of Offender(s))

[REDACTED] committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 02/10/2025 at 1803 hours, Patrol Officers with the Kansas City Missouri Police Department were dispatched to [REDACTED], Jackson County, Missouri on a reported Medical Nature Unknown.

Patrol Officers located the victim lying prone on the southeast side of the store. The victim was unresponsive, and there was a large pool of apparent blood around his head. Kansas City Fire Department Paramedics arrived on scene and pronounced the victim deceased at 1814 hours.

Officers located four people at the scene and determined that all four people arrived after the homicide had occurred.

On 02/10/2025, at approximately 1900 hours, Detectives with the homicide Unit and Investigators from the Crime Scene Unit were notified of the incident and responded to the scene. An Investigator with the Digital Evidence Section also responded to the scene.

The exterior conditions were observed to be cloudy, dry, and approximately thirty-four degrees, with a light wind.

It was determined by Detectives that three suspects had arrived to the convenience store in a white Ford Expedition. One of the suspects was open carrying a firearm with an extended magazine and a second suspect appeared to have a pistol in the front pocket of his hoodie. The suspect that appeared to have a pistol in his hoodie pocket stole several items. All three suspects returned to the Ford Expedition. The Victim (store owner) exited the store and approached the passenger side of the Ford Expedition. He presented a pistol and pointed it towards the suspect who stole the items. The suspect, who was sitting in the front passenger seat, lowered the window returned the items and then raised the window. The Expedition drove to the exit of the parking lot. The Victim walked back to the front door of the store with his back to the Expedition. As he approached the door he

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spoke to the Witness/Victim, who was facing the Expedition. The Expedition stopped short, the driver exited, and shot in the direction of the Victim and Victim/Witness multiple times. The front passenger also shot multiple times from the Expedition in the direction of the Victim and Victim/Witness. The driver then entered the Expedition and left the scene. The Victim/Witness left the scene prior to any other persons arriving to the scene. A Detective observed the Victim's holster was tucked into the front of his waistband. It was observed that the victim had a defect on the right side of his abdomen with a corresponding defect on the left side of his abdomen. A large pool of apparent blood was located under his head with blood on his face. The stolen items were lying next to the victim.

The second victim/witness was contacted by Detectives at her residence. She provided a limited statement in which she acknowledged that she was at the convenience store and was not injured.

The four people who had been located at the scene were interviewed at the scene and it was determined they had arrived after the homicide had occurred and were not witnesses.

During the course of the investigation it was determined that an unknown person arrived at [REDACTED] driving a maroon Hyundai SUV. The witness was identified and interviewed.

The witness acknowledged that she was the driver and sole occupant of the Hyundai SUV on 02/10/2025. She pulled into the parking lot and before she could exit her SUV she heard gunshots. She did not see who was shooting, or if anyone had been struck by gunfire. She saw a white "truck" leave the parking lot that had been backed into a parking space. She also saw a woman ducking. She did not hear anyone say anything to her or to anyone else. Neither her or her SUV were struck by gunfire. She immediately left the parking lot.

The calling party, who reported the incident was located and interviewed. In her interview she explained she arrived at the scene and did not see anyone in the parking lot. She saw the victim laying on the sidewalk, but thought he was drunk. She went into the store but did not see anyone inside. When she went back outside a man in a white van had pulled into the parking lot. The man said he had seen the shooting from across the street and the man lying on the sidewalk was dead. A woman pulled up in her car and she told the woman that she couldn't go in the store. She asked the man if he had called the police and he said "No". She immediately called 911 and told the call taker a man was dead. She then left the area.

Crime Scene Investigators processed the scene. Spent casings (9mm and .40 caliber) were collected from the parking lot. Spent bullets and bullet fragments were collected from the parking lot, the sidewalk outside the store, and from inside the store. Bullet damage to the victim's Nissan Murano and the store front were documented. Interior and exterior doors were processed for latent print and latent DNA transfer. The stolen items were located near the victim, which were collected for processing.

The business was determined to have a surveillance system with both exterior and interior cameras. The BP convenience store, located across the street at [REDACTED], was also observed to have exterior and interior surveillance cameras. The building located at [REDACTED] was observed to have surveillance cameras.

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The Investigator with the Digital Evidence Section recovered the [REDACTED] store surveillance video.

The owner of the building located at [REDACTED] was contacted and it was determined that the cameras were motion activated and only captured video in segments of a few seconds. The surveillance footage from the location did not provide any information that identified the suspects or suspect vehicle.

The clerk and owner at the BP convenience store, located at [REDACTED], was contacted about the surveillance system. It was determined that the system was operational and written consent was given to review and recover a copy of the video footage and related data. It was determined the video footage was one second slower than actual time.

The video footage was reviewed and it was determined the footage was consistent with the video footage from [REDACTED]. This included footage from Camera D15 which showed from the time the Expedition pulled forward from the parking space until the Expedition turned south onto Hickman Mills Drive there were no observable vehicles or obstructions that would have hindered the Expedition from leaving the parking lot.

The victim's family who are co-owners of [REDACTED], located at [REDACTED], were contacted about the surveillance system. Written consent was given to review and recover a copy of the video footage and related data. It was determined the video footage was one second slower than actual time. The following observations were made from the video footage:

CAMERA A04

Camera A04 17:48:45 A white Ford Expedition (suspect vehicle) was observed driving north on Hickman Mills Drive and turning into the parking lot of [REDACTED]. The Ford Expedition backed into a parking space in front of the store's front door. The Expedition was observed to have a torn temporary tag mounted on the rear license plate holder. The temporary tag appeared to be consistent with the format of a Missouri temporary tag. The rear passenger wing window appeared to be broken and had been covered with gray tape. The driver's side rear wheel was observed to be a seven spoke wheel and the front was a twelve spoke wheel.

Camera A04 17:49:09 The driver was observed to be a black male and was wearing a black hoodie with a design on the front, black athletic pants, a black mask, and dark colored boots. The driver was later identified as Kevin Herring. The driver's side rear passenger exited and was observed to be a black male wearing a black and gray jacket, green athletic pants, and tan boots. The rear passenger was later identified as [REDACTED]. Another black male was observed walking from the passenger side and was observed to be wearing a tan hoodie, matching tan athletic pants, red and gray athletic shoes, and a black face mask. The male was later identified as [REDACTED]. All three males entered the front door of the store.

CAMERA A15

Camera A15 17:49:24 [REDACTED] entered the store. [REDACTED] approached the counter and made a cash purchase. Herring and [REDACTED] walked further into the store. The Victim was observed to be alone in the store.

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CAMERA A12

Camera A12 17: 50:07 [REDACTED] walked to the rear of the store and. it appeared that [REDACTED] a heavy object in the single front pocket of the hoodie that was consistent in shape with a pistol. It was observed that Herring had the grip of a black firearm and extended magazine sticking out of the left side of his waistband.

Camera A12 17:50:22 [REDACTED] Herring in the rear of the store. The camera was at face level and all three suspects could be observed in detail. All three suspects were holding items.

CAMERA A21

Camera A21 17:50:25 The Witness/Victim entered the store. [REDACTED] all approached the front of the store. Herring made a cash purchase. Herring walked away from the counter and the pistol was still in plain view. [REDACTED] to approach the counter and then turned away. The Witness/Victim approached the counter and placed her items on the counter. Herring, [REDACTED] appeared to have a conversation. Herring and [REDACTED] the store, but held the door open. [REDACTED] started to approach the counter and then turned towards Herring and [REDACTED] looked back at the Witness/Victim and the counter and left the store without paying for any of the items he was holding in his hands. The victim looked at the front door as [REDACTED] exited with [REDACTED] and Herring.

CAMERA A01

Camera A01 17:50:46 The victim was standing at the counter behind the plexi-glass, by a register. The victim was able to see Herring approach the counter. As Herring approached the counter the firearm was in plain view tucked into his waistband.

Camera A01 17:51:54 As [REDACTED] exited the store the victim looked over the Witness/Victim's left shoulder towards the front door. The victim walked to the metal screen door and exited from behind the counter. As the Victim stepped past the metal door his right hand moved towards his waistband. The Witness/Victim turned to face the front door of the store.

CAMERA A21

Camera A21 17:52:09 The victim walked past the metal door and was observed lifting the bottom of his hoodie at his waistband. The victim exited the front door. The Witness/Victim walked to the front door and looked outside.

Camera A21 17:52: 26 The Witness/Victim exited the store.

CAMERA A05

Camera A05 17:51:57 [REDACTED] the store. [REDACTED] got into the front passenger seat of the Expedition, Herring and [REDACTED] to the driver's side.

Camera A05 17:52:11 The Victim exited the store and approached the passenger side of the Expedition.

Camera A05 17:52:16 The Victim approached the front passenger window and was observed to be waving his left hand in a motion for [REDACTED] lower the window. His right arm was tucked to his side.

Camera A05 17:52:20 The Victim was observed to be holding a pistol in his right hand with it pointed at the Expedition.

Camera A05 17:52:25 The front passenger window of the Expedition was lowered and [REDACTED] handed the Victim multiple items. The Victim took the items in his left hand.

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Camera A05 17:52:29 The Witness/Victim was observed standing in the doorway with an unobstructed view of what was occurring at the passenger side of the Expedition. The Witness/Victim was approximately six feet from the passenger side of the Expedition.

Camera A05 17:52:32 The Victim stepped back and kept his firearm raised and pointed towards the Expedition.

Camera A05 17:52:34 The passenger window of the Expedition was raised and the vehicle pulled forward.

Camera A05 17:52:37 The Victim lowered his pistol and turned back towards the Witness/Victim and the front door of the store. The Witness/Victim continued to watch the Expedition drive through the parking lot.

Camera A05 17:52:39 The Victim walked towards the Witness/Victim with his back to the Expedition and spoke to her.

Camera A05 17:52:40 The Expedition stopped short and gravel dust could be observed coming from under the tires.

Camera A05 17:52:42 The edge of the driver's door could be observed to be opened. The Victim turned back towards the Expedition. The Witness/Victim began to run towards her Malibu.

Camera A05 17:52:43 Herring could be observed near the rear of the Expedition on the driver's side. The Victim raised his pistol and pointed it in the direction of the Expedition.

Camera A05 17:52:44 Herring took one step to his right and was in a shooter's stance. The Victim and the Witness/Victim both ducked. [REDACTED] opened the front passenger door. Apparent gun fire could be observed coming from Herring and [REDACTED]

Camera A05 17:52:45 The Victim turned, stumbled, dropped his pistol, and fell. Apparent bullet strikes could be observed striking a Nissan Murano and the store front.

Camera A05 17:52:46 Herring returned to the driver's seat and [REDACTED] the front passenger door.

Camera A05 17:52:53 The Expedition was observed turning south onto Hickman Mills Drive.

Camera A05 17:52:35 to 17:52:54 From the time the Expedition pulled forward from the parking space until the vehicle turned south onto Hickman Mills Drive there were no observable vehicles or obstructions that would have hindered the Expedition from leaving the parking lot.

Camera A05 17:52:47 As the Victim fell to the ground he was still holding the two bags of chips and the beverage can that [REDACTED] handed to him. The beverage can could be observed exploding. The Victim attempted to roll onto his right forearm. Apparent blood was pouring from his mouth. The Victim struggled to push himself up on his left arm. The Victim collapsed onto the side walk and a pool of apparent blood formed under his face. The Victim appeared to be struggling to breath as his back heaved. Apparent blood continued to pour onto the side walk.

Camera A05 17:53:55 The Victim appeared to stop struggling and all movement stopped. The Witness/Victim drove away in her Malibu.

CAMERA A04

Camera A04 17:52:02 Herring entered the driver's seat of the Expedition and [REDACTED] entered the rear driver's side passenger seat.

Camera A04 17:52:13 The Victim exited the store with his right hand near his waist band.

Camera A04 17:52:28 The Witness/Victim could be observed standing in the doorway of the front door.

Camera A04 17:52:34 The brake lights on the Expedition turned on and the vehicle pulled forward.

Camera A04 17:52:37 The Victim was observed standing in the parking lot pointing a pistol in the direction of the Expedition. He was holding several items in his left hand. A maroon Hyundai SUV, with a Missouri license

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of CA2B8K pulled into the parking lot and stopped next to the Witness/Victim's Malibu. The driver did not exit the Hyundai and it was not possible to confirm the person's identity.

Camera A04 17:52:38 The Victim turned and walked towards the Victim/Witness with the pistol at his side. The victim/Witness continued to look in the direction of the Expedition as it drove through the parking lot.

Camera A04 17:52:40 The Witness/Victim turned to face her Malibu. The Expedition stopped short at the exit from the parking lot.

Camera A04 17:52:41 As the Expedition was stopping the driver's door was being opened. The Victim had his back to the Expedition and his pistol was at his side. The Witness/Victim turned her head back towards the Expedition.

Camera A04 17:52:42 Herring stepped out of the Driver's seat of the Expedition raised his firearm and shoots in the direction of the Victim and the Witness/Victim. As Herring began to shoot, the Victim began to raise his pistol.

Camera A04 17:52:44 Herring stepped right and continued to fire in the direction of the Victim as he ducked down. The Victim/Witness ducked and ran towards her Malibu.

Camera A04 17:52:47 Herring stopped firing his firearm and returned to the driver's seat of the Expedition. The Victim fell to the ground behind a Nissan Murano.

Camera A04 17:52:53 The Expedition left the parking lot and went south on Hickman Mills Drive.

Camera A04 17:52:35 to 17:52:54 From the time the Expedition pulled forward from the parking space until the vehicle turned south onto Hickman Mills Drive there were no observable vehicles or obstructions that would have hindered the Expedition from leaving the parking lot.

Camera A04 17:53:12 The maroon SUV left the parking lot. The Victim/Witness entered the driver's seat of the Malibu and appeared to be attempting to drive forward. The Victim/Witness stopped the Malibu in the middle of the parking lot.

Camera A04 17:54:20 The Victim/Witness left the parking lot.

Camera A04 17:54:41 Several other persons arrived to the store in vehicles and on foot. It was determined that one of the persons stole the Victim's pistol, which he had dropped in front of the door. All of the persons left prior to officers arrived and did not attempt to render aid to the Victim.

Camera A04 18:05: 44 A Ford Eco Sport pulled into the parking lot. The occupants exited the vehicle and observed the Victim. The occupants stayed at the scene until Patrol Officers arrived on scene and provided statements.

Camera A04 18:06:12 A Jeep Cherokee pulled into the parking lot. The occupants exited the vehicle and observed the victim. The occupants stayed at the scene until Patrol Officers arrived on scene and provided statements.

Camera A04 18:09:03 Officers arrived on scene.

The person who stole the Victim's pistol was identified and located. The Victim's pistol was recovered by Crime Scene Investigators.

After the surveillance footage was reviewed suspect development was conducted by Kansas City Police Department Analysts and Detectives.

After reviewing recovered surveillance video footage from [REDACTED] (camera A12) the following determinations were made.

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Subject #1, was wearing beige hooded sweatshirt and sweatpants, with a black headcover. He was observed standing in front of a cooler door. Subject #1 appeared to have a tattoo above his left eye, an unknown tattoo with apparent red ink on his neck, partially covered by his mask, and a tattoo on his right hand. An Analyst was able to determine that Subject #1's eyebrow tattoo and neck tattoo matched to [REDACTED]. A Department of Revenue picture was located for [REDACTED] it was observed [REDACTED] tattoos were consistent with Subject #1's eye tattoo and possibly his neck tattoo. Two pictures of [REDACTED] were provide by members of the Kansas City, Kansas Police Department. The Analyst was able to observe [REDACTED] tattoos on his neck, which were similar in representation of that observed on Subject #1. Additional information from a call for service in October 2024 in Kansas City, Kansas had identified [REDACTED] as the suspect of the incident and [REDACTED] left in a white Ford Expedition, which is the same color and model of the suspect vehicle in this homicide investigation. A Detective reviewed pictures that Analyst supplied of [REDACTED] and compared them to the surveillance footage recovered from the convenience store. After reviewing the footage from camera A12, which was placed at face level near a cooler door that Subject #1 was standing in front of and camera A15 from the store entrance the Detective determined [REDACTED] matched Subject #1 by build, face structure, and complexion. In addition, the tattoo above his left eyebrow and neck tattoo appeared to be the same in color, placement, and design.

Subject #2, was wearing a black and gray hooded sweatshirt, green Nike pants, and tan boots. Subject #2 also appeared to have dreadlocks. The Analyst utilized resources that identified [REDACTED] a possible match for Subject #2.

A detective reviewed booking photos of [REDACTED] compared them to footage from camera A12. The detective determined [REDACTED] Subject #2 by build, face structure, complexion, beard and hair style. Also, a dark mark could be briefly observed [REDACTED] throat that was consistent with the placement of a tattoo that was observed in his booking picture.

An Analyst conducted additional research to identify Subject #3 and the suspect vehicle. The Analyst reviewed video footage from camera A04 and determined that the suspect vehicle was a white Ford Expedition with a partially affixed temporary tag on the rear of the Expedition. The temporary tag appeared to have expired in 2024 and was issued by the Missouri Department of Revenue. The Analyst was not able to read the temporary tag in full but did identify possible characters displayed on the tag, potentially being "07K", a letter similar to "P", "T", and what appeared to end with a "Q" or "O". The Analyst conducted a search of possible combinations similar to the Missouri temporary license sequence and located [REDACTED] which expired on 10/26/24. The tag responded to Kevin Herring, with an [REDACTED]. Additional information showed the vehicle color to be white platinum. Information was located that the Expedition had a reported accident on the left rear side.

A detective reviewed video footage from camera A05 and camera A04 and determined that the suspect vehicle was a white Ford Expedition with an expired Missouri temporary tag consistent with a 2014 model. The detective observed the rear left side of the vehicle to have minor damage and for the rear tire to be a seven spoke wheel and the other three wheels to have twelve spokes.

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The Analyst conducted a search of police records for Kevin Herring, and located Kevin Herring Jr., BM, [REDACTED] showed Kevin Herring and [REDACTED] as associated. The report documented Herring willing left with [REDACTED] after he had committed an aggravated assault. [REDACTED] was listed as a previous address for Herring in the CLEAR system.

A Detective reviewed booking pictures of Herring and compared them to footage from camera A12. The Detective determined Herring matched Subject #3 by build, face structure, and complexion. While subject #3 was observed wearing a full-face mask during the incident his eyes, eye brows, and the bridge of his nose were all observable. The Detective noted that Herring and Subject #3 had the same wide set, almond shaped eyes, and distinct thick arched eyebrows.

On 02/14/2025, [REDACTED] was arrested by Kansas City Missouri Police Department Detectives at his assigned Parole Office without incident.

[REDACTED] was transported to the Kansas City Missouri Police Department Headquarters and provided a statement. The Miranda Warning and Waiver was read [REDACTED] and he acknowledged that he understood. [REDACTED] provided the following statement:

On 02/10/2025, he had been at a scrape yard shop on Leeds pulling an engine from a Tahoe. A guy named Scott owned the shop and paid him to work on occasion. A guy he knew named "Coffee", later confirmed to be Kevin Herring, agreed to give him a ride home. Kevin Herring was driving a white Ford SUV, there was a front passenger, later confirmed to [REDACTED] in the rear passenger seat. They left the scrap yard shop and [REDACTED] was going to get dropped off at his residence off of East 87th Street. He wanted to get some Black and Mild's (cigars) and asked Herring to make a [REDACTED] not sure why Herring did not go to the QuikTrip on East 87th Street, which would have been on the way to his residence. Instead Herring went right on East 87th Street. [REDACTED] Herring he did not want to go to the Fast Stop on East 85th Street. They ended up going to the convenience store [REDACTED] that both Herring and [REDACTED] were armed and that is why Herring would not stop at a gas station. He saw both of them "checking" (looking at) doors when they were inside. [REDACTED] remembered that there was also a lady in the store when they were inside. When they went inside he purchased a package of Black and Mild's and Herring purchased several [REDACTED] had some chips he was going to purchase, but didn't pay. Herring and he walked out [REDACTED] started to follow them outside. Herring [REDACTED] "Did you pay already?", [REDACTED] replied "I went up there and then I let her go." [REDACTED] walked out of the store but was confused about whether [REDACTED] [REDACTED] admitted that he still had to pay, but walked out to the car with them. He knew [REDACTED] stole the chips when the owner came outside. When they left the store the Victim (owner) followed them out after they were back in Herring's Ford SUV. Herring was in the driver's seat, [REDACTED] in the front passenger seat, and [REDACTED] was in the back seat behind Herring. The Victim [REDACTED] window and pointed a pistol at [REDACTED] rolled the window down. The Victim told them "I don't play" while pointing the pistol at [REDACTED] No one said anything to the Victim, but [REDACTED] handed the chips back to the Victim.

Herring drove forward for a few seconds. [REDACTED] saw [REDACTED] and Herring look back and Herring said "Fuck this" and Herring slammed the Ford SUV into park and exited the vehicle. [REDACTED] ducked down behind the front seat

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and heard gunshots. [REDACTED] to himself, "Why didn't we just drive off?" [REDACTED] believed Herring shot first. [REDACTED] heard car doors close and Herring drove away. [REDACTED] immediately demanded to be let out of the Ford SUV. [REDACTED] kept telling Herring and [REDACTED] "I don't have a mask, I don't have a gun, I'm on parole, they got my [REDACTED] observed Herring and [REDACTED] kept exchanging glances and he was concerned for his safety and that they may do something to him. Herring stopped the Ford SUV and [REDACTED] got out and walked to his cousin's house [REDACTED] [REDACTED] did not see any damage to the Ford SUV.

[REDACTED] was adamant that he had no contact with Herring or [REDACTED] since the homicide. [REDACTED] that he did not fire, touch, or take any firearms at any time.

[REDACTED] provided details that both Herring and [REDACTED] masks to conceal their identity and kept telling him that he needed to get one himself.

[REDACTED] a single picture of Kevin Herring, who he had acknowledged that he had known for several years. [REDACTED] referred to Herring as Kev and acknowledged that Herring was the person who he referred to as "Coffee". He also acknowledged Herring was the suspect of the homicide.

[REDACTED] gave written consent for a search of his cell phone to be conducted. Information was located during the search of the cell phone that matched for both Kevin Herring and [REDACTED]

[REDACTED] viewed a single picture of [REDACTED] and denied knowing him.

Later during the interview [REDACTED] shown a different picture of [REDACTED] it was confirmed that there was a listing for [REDACTED] iPhone. He acknowledged that he knew [REDACTED] was the front passenger in the Ford Expedition.

The interview was concluded.

On 02/20/2025, Detectives conducted an interview with Kevin Herring at the Kansas City Missouri Police Department Headquarters. Herring had been arrested on unrelated charges.

Kevin Herring was escorted to interview room #1 on the 7th floor and the Miranda Warning and Waiver was read to him and he acknowledged that he understood.

Kevin Herring confirmed his identity and provide his phone number with a passcode for his cell phone, which was seized from him. He did not provide consent for a search of his cell phone to be conducted. His initial comments at the beginning of the interview was that he got high a lot and specified he takes Percocet and "lean". At no time did he appear to not be able to understand what was being asked of him or to provide answers. He remained engaged throughout the interview and often asked clarifying questions.

He provided limited details that he owned a white Ford SUV. He initially stated that it was an Explorer and then later clarified it was an Expedition. He talked about selling the Expedition to a girl on Facebook, but stole the

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Expedition back because she had given him fake money. He added the Expedition was broken down and was in the area of East 33rd and Lawn Avenue.

Throughout the interview when he provided information that he was in a specific place or with a specific person he would not provide details for how to contact anyone to confirm the information.

When asked what he did for the Super Bowl on 02/09/2025 Herring provided a detailed story that he was at his friend Alex's house and he had made parlay bets using the Underdog application. When asked to provide details for what he did on 02/10/2025 Herring was slow to provide any details. Only when I directly addressed to him that it was known that he had been at Porter's Auto Salvage and had left driving the white Ford Expedition with a temporary tag that was registered to him, did acknowledge that the information was correct. Herring admitted that people who he works with left Porter's with him in the Expedition. Herring was continually evasive about providing details of what he did after he left Porter's Salvage. Herring would provide detailed answers to some questions and then be evasive about answering specific questions. Herring would reference that he gets high all the time and struggled with remembering.

He denied owning or possessing a gun of any type. He added that he had owned a rifle when he was eighteen, but no longer possessed the rifle.

At 16:03: hours, Herring asked "Do I need a lawyer?" I replied "I'm just asking if you would recognize people in a picture?" Herring responded "I don't want to do that." and continued to speak about what he did after he left Porter's.

I asked him if he stopped at [REDACTED] on 02/10/2025 after 5:30pm in his white Ford Expedition. He denied going to the convenience store. He then admitted to being in the Marlborough area near the convenience store.

Neither Detective Cook or I had informed Herring that the Victim was deceased. He made a comment that he was not a murderer.

At 16:05:46 hours, Herring stated "Can I request a lawyer?" shrugged his shoulders and stated "What do I need to request a lawyer for?". Herring asked repeatedly what was going on.

A series of pictures and still shots were shown to Herring of [REDACTED] and of him, [REDACTED] and [REDACTED] still shots showed Herring and [REDACTED] exiting the driver's side of the Expedition, and [REDACTED] walking from the Expedition. Also, still shots of the three of them in the store.

Herring would not admit that he was at the store and then admitted he was there, but stayed in the Expedition. Herring then changed his statement that he went inside to get some snacks. Herring became frustrated and commented that other people drove his Expedition and wore his clothes.

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At 16:09:45 hours, Herring asked the question, "Can I tell it with like a lawyer or something?". Herring immediately asked if he had done something wrong. I asked Herring why was he in the store and he responded "I didn't do nothing.". "I was just there for a regular store stop."

At 16:11:07 hours, Herring asked "Can I get a lawyer? I just like don't know. I didn't do nothing.". Herring then continued to look at the still shots of his Expedition at the store.

At 16:12:00 hours, Herring again asked "Can I get a lawyer?". I responded "If you don't want to tell your story that's on you." He then continued with the interview.

At 16:12:43 hours, Detective Cook asked Herring if he wanted to continue speaking with us. Herring then asked to see the still shots again.

Herring then told us he would tell us what happened. Herring repeatedly stated that they had just gone in to get snacks.

Herring would not provide any names or information about who the front and back passengers in the Expedition were.

He admitted that he was embarrassed and ashamed that about what happened at the store.

When confronted about if [REDACTED] payed for his items Herring would not confirm that [REDACTED] or stole the items. He did admit that [REDACTED] had chips and a soda when he walked out of the store.

Herring struggled with how he had been identified and asked if he was going to jail.

Herring stated "This shit was never supposed to happen. It was not supposed to be like this."

Herring admitted in the still shot taken from inside the store he had a Glock (pistol) in his waistband.

Herring admitted that it could not be anyone else but him in the still shots and in the Expedition.

Eventually Herring explained that he paid for his snacks. When they returned to the Expedition, but before he could drive away the Victim followed them outside and pointed a gun at him, [REDACTED] from outside the front passenger window. The Victim told them that he would kill them and shoot out the tires.

He admitted that he was afraid of the Victim. He then added that [REDACTED] handed back the chips and soda. He then added that the Victim told them he wanted everything and they also handed him money. I told him that they did not hand him any money only the chips and soda. Herring then agreed that [REDACTED] only handed back the chips and soda.

Herring confirmed the Witness/Victim was outside and witnessed what occurred. The Witness/Victim told the Victim that he didn't need to do that and she would pay for the items. The Victim told them that nobody steals from him. Herring did not expect the victim to do that (point a weapon at them).

When Herring was asked if anything stopped him from driving away and leaving the parking lot, specifically any cars or objects. Herring hesitated then said him (Victim) even though the Victim was standing towards the back of the Expedition. Herring stated that there were cars in the street, but admitted it was only the cars parked next to him. Herring was asked what stopped him from just driving out of the parking lot and leaving the area. He

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replied that he slammed the car into park and got out to ask the Victim what that was about. Herring was then asked if he was terrified why would he stop to ask the Victim a question. Herring replied "Because I was in fight or flight. I was scared. I was in flight mode". When confronted about being in fight or flight mode he responded that he didn't mean that.

Herring was asked if he had a gun when he got out of the car. He replied "No". He denied doing anything. He would not admit that [REDACTED] also armed. He repeatedly acknowledged that he had a Glock tucked into his waistband.

At 18:23:56 hours, Herring stated "Can I get a lawyer please?". I asked him are you asking a question or telling us something. Herring then continued to talk about how he was not lying.

When asked how the Victim ended up dead after being shot, Herring hesitated and stated "He pointed a weapon at me." Herring was asked when did the Victim point the weapon at him, while he was standing next to his car or after Herring could have driven away? Herring responded, he stopped to ask the Victim why he pointed the gun at them.

Herring would not answer how the Victim ended up being killed.

When asked if he stepped out of the Ford Expedition and shot the victim he refused to answer the question. Herring was again asked if he shot the Victim and he stated "No".

Herring was asked again if he was so terrified of what had happened why did he stop the car instead of driving away. Herring replied "Be a man Kev.".

Herring was asked to justify his actions. He did not provide a response.

At 18:44:13 hours, Herring stated "Can I make a call please?" He was asked who does he want to call? Herring responded "A lawyer." Detective Cook and I collected the items on the table and Herring responded by stating "I'm just playing.". It was explained that he had just asked for a lawyer and he repeatedly stated "Just chill."

The interview was ended.

The affiant has determined that Kevin Herring was the driver of the Ford Expedition and no other vehicles or obstacles hindered him from driving away from the parking lot of the convenience store. That Herring choose to stop the Ford Expedition, exit the vehicle, and fire an unknown firearm in the direction of the victim and witness/victim.

The underlying offense is related to a serious felony currently being investigated by Kansas City Missouri Police Department which is punishable by significant penalties that incentivize the defendant to fail to appear.

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Printed Name Detective Peter Neukirch 5561 Signature /s/ Det. Peter Neukirch 5561

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

Judge

Circuit Court of _____ County, State of Missouri.