

**IN THE CIRCUIT COURT
OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE**

Police# 2016-72955
Prosecutor# 095435127
1616-CR
OCN# AN014399

COMPLAINT

STATE OF MISSOURI

vs.

**Mikilos A. Guinn
3609 College
Kansas City, MO 64127
DOB: 03/26/1976; Race/Sex: B/M;
SS# [REDACTED]
Defendant.**

**Count I. Resisting Arrest/detention/stop By Fleeing - Creating A Substantial Risk Of
Serious Injury/death To Any Person (575.150-002Y20054801.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo, committed the **class D felony of resisting a lawful stop**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 24, 2016, in the county of Jackson, State of Missouri, Officer Grasher, a law enforcement officer, was attempting to make a lawful stop of a vehicle being operated by the defendant, and the defendant knew or reasonably should have known that the officer was making a lawful stop, and, for the purpose of preventing the officer from effecting the stop, resisted the stop by fleeing from the officer, and the defendant fled in such a manner that created a substantial risk of serious physical injury or death to other persons in that the defendant operated the vehicle at speeds in excess of 100 mph, operated the vehicle off of the roadway, and crashed the vehicle into a building.

The range punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

Count II. Property Damage 1st Degree (569.100-001Y19792901.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.100, RSMo, committed the **class D felony of property damage in the first degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 24, 2016, in the County of Jackson, State of Missouri, the defendant knowingly damaged a building located at 24 Highway and Arlington Independence, Missouri, which property was owned by Ray Kattan, by operating a vehicle and crashing the vehicle into a building, and the damages to such property exceeded seven hundred and fifty dollars.

The range punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

Count III. Assault 3rd Degree On Law Enforcement Officer, Corrections Officer, Emergency Personnel, Highway Worker In A Construction/work Zone, Utility Worker Or Probation And Parole Officer- Apprehension Of Physical Injury (565.083-003Y20051399.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.083, RSMo, committed the **class A misdemeanor of assault of a law enforcement officer in the third degree**, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about September 24, 2016, in the county of Jackson, State of Missouri, the defendant purposely placed Officer Grasher, a law enforcement officer, in apprehension of immediate physical injury, by operating a motor vehicle while Officer Grasher was leaned inside of the vehicle.

The range of punishment for a class A misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed one (1) year; by a fine not to exceed one thousand dollars (\$1,000); 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 up to a maximum of twenty thousand dollars (\$20,000).

THE STATE OF MISSOURI

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Count IV. Dwi - Alcohol (577.010-005Y19755404.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 577.010, RSMo, committed the **class B misdemeanor of driving while intoxicated**, punishable upon conviction under Sections 558.011 and 560.016, RSMo, in that on or about September 24, 2016, on 24 Highway and Kiger Road, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol.

The range of punishment for a class B misdemeanor is imprisonment in the county jail or other authorized penal institution for a term not to exceed six (6) months; by a fine not to exceed five hundred dollars (\$500); 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 up to a maximum of twenty thousand dollars (\$20,000).

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, 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,

Katherine Baker Nelson (#62733)
Assistant Prosecuting Attorney
415 E. 12th Street, 11th Floor
Kansas City, Missouri 64106
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PROBABLE CAUSE STATEMENT

Date: 9/24/2016

Report #: 2016-72955

I, Christopher Burris, a Detective with the Independence, Missouri, Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that on 09/24/2016, at approximately 0113 hours, Mikilos A. Guinn, (Race- Black, Sex- Male, DOB- 03/26/1976, Address-3609 College, Kansas City, Missouri 64127, SSN- [REDACTED]) committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 09/24/2016 at 0113 hours, Independence Police Officer Scott Grasher was contacted two unknown citizens who pointed out a possible intoxicated driver traveling eastbound on 24 Highway and Broadway Street in a black in color SUV.

Officer Grasher caught up to the vehicle at 24 Highway and Lee's Summit Road. Officer Grasher observed the vehicle turn southbound on Lee's Summit Road and proceed to make an illegal U-turn turning back northbound on Lee's Summit Road. The vehicle proceeded through the red light after stopping initially and turned westbound on 24 Highway from Lee's Summit Road. Officer Grasher activated his emergency lights and siren signaling the vehicle to pull over. The vehicle stopped east of Kiger Road on 24 Highway. Independence Police Officer Timothy Burchfield arrived a short time later to assist.

The vehicle was bearing MO license CL7-UIG. Officer Grasher approached the vehicle and observed an unidentified black male driver and an unidentified black male passenger. Officer Grasher observed that the driver appeared to be incoherent and unresponsive when he asked him for his driver's license. The passenger then produced a Missouri driver's license and was identified as Eric J. Anderson. Officer Grasher asked Anderson the name of the driver and if he had been drinking. Anderson replied "I got this, I have a license just let me take him home. Officer Grasher told Anderson there were a couple of options on how to handle this but he needed to identify the driver first. Officer Grasher noticed the driver appeared to fall asleep. Officer Grasher opened the driver's side door to get the driver out. As Officer Grasher went to grab the driver, he awoke and turned on the ignition and began to drive away. As the vehicle began to accelerate Officer Grasher attempted to pull the key from the ignition but was unable to do so due to the momentum of the vehicle. Officer Grasher was clipped by the driver's side door jamb causing him to nearly lose his balance.

Officer Grasher proceeded to his patrol and announced to dispatch that he was in pursuit of the vehicle and that the driver was highly intoxicated. The chase continued westbound on 24Hwy through the following intersections:

1. 24Hwy & College, running the red light
2. 24Hwy & Noland, running the red light
3. 24Hwy & River, running the red light
4. 24Hwy & Forest
5. 24Hwy & Sterling, running the red light

Officer Grasher noted that his patrol vehicle speed reached 100 MPH. The Volvo SUV had great distance on Officer Grasher and was estimated to be traveling in excess of 100 MPH. Due to the dangerous driving and excessive speeds Officer Grasher elected to terminate the chase at 24 Highway and Sterling Avenue. Officer Grasher noted that vehicle traffic was very light as he observed the vehicle continue to travel westbound on 24 Highway through Ash Avenue. After terminating, Officer Grasher continued westbound without emergency equipment activated and observed several citizens pulled over on the side of the road standing out of their vehicles pointing westbound.

Officer Grasher discovered the vehicle to have crashed into Grandpa's Cafe located at 9517 E. 24 Highway. The building which the vehicle crashed into was completely destroyed. Upon approaching the vehicle, Anderson was still sitting in the passenger seat asking to get him out. Officer Grasher could see the driver laying in the driver seat, breathing but unconscious. Personnel with the Independence Fire Department had to extricate Anderson and the driver out of the vehicle. Anderson was treated and released at the scene by ambulance personnel. The driver was transported to North

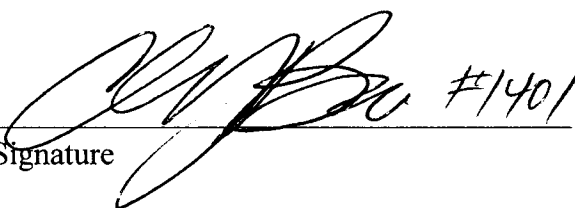
Kansas City Hospital. Independence Police Officer Brett Schmidli responded to North Kansas City hospital to guard the driver. Officer Grasher responded to North Kansas City Hospital where he was advised by medical staff that the black male driver suffered no broken bones but would be admitted to check on head injuries. At the time, the driver was believed to be Demetrius Buffington, based on the registration of the vehicle.

Officer Grasher was then notified by Independence Police Dispatch at approximately 0530 hours that North Kansas City Hospital had called and advised that the black male driver was attempting to leave the hospital. Independence Police Officer Kirsten Baker and Officer Burchfield were dispatched. Upon the arrival of the officers, the black male subject was positively identified by his mother as Mikilos A. Guinn. A computer check of Mr. Guinn revealed five outstanding Jackson County Sheriff's Department traffic warrants. Officer Burchfield placed him under arrest.

On 09/24/2016 at about 0900 hours, Independence Police Detective Christopher Burris contacted Feras Katthan, whose father Ray leased the building. Katthan provided an initial estimate of the damage to be somewhere between \$100,000 to a \$200,000. Katthan was adamant that his estimate was only that as they were in the process of figuring out what to do next. Detective Burris subsequently conducted a computer check of Guinn and found that his driver's license in the State of Missouri is currently suspended for an "INSTATE FAILURE TO APPEAR." A further check revealed that Guinn has 8 previous convictions in the Kansas City and Jackson County Municipal Courts for driving while suspended or revoked.

Detective Christopher Burris # 1401

Print Name

 #1401

Signature

THE COURT FINDS PROBABLE CAUSE:

Date

Judge