

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

Police# 16-074148
Prosecutor# 095435753
1616-CR
OCN#

COMPLAINT

STATE OF MISSOURI

vs.

**Cory J. Highsmith
13956 Falkirk Circle
Grandview, MO 64030
DOB: 07/03/1994; Race/Sex: B/M;
SS# [REDACTED]
Defendant.**

Count I. Murder in the Second Degree (565.021-001Y19840999.0)

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, either acting alone or purposefully in concert with another, committed the **Class A Felony of Murder in the Second Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about October 3, 2016, in the County of Jackson, State of Missouri, Keith M. Johnson was killed by being shot as a result of the attempted perpetration of the Class A Felony of Robbery in the First Degree under Section 569.020, RSMo committed by the defendant on or about October 3, 2016, in the County of Jackson, State of Missouri.

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

Count II. Armed Criminal Action (571.015-001Y19755299.0)

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, either acting alone or purposefully in concert with another, committed the **Felony of Armed Criminal Action**, punishable upon conviction under Section 571.015.1, RSMo, in that on or about October 3, 2016, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count 1, 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 range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 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. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition 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.

Count III. Attempted Robbery in the First Degree (569.020-001Y19791299.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.020, RSMo, committed the **Class B Felony of Attempted Robbery in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about October 3, 2016, in the County of Jackson, State of Missouri, the defendant either acting alone or purposefully in concert with another, displayed a handgun, a deadly weapon, and demanded items in the possession of [REDACTED], and such conduct was a substantial step toward the commission of the crime of robbery in the first degree, and was done for the purpose of committing such robbery in the first degree.

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

Count IV. Armed Criminal Action (571.015-001Y19755299.0)

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, either acting alone or purposefully in concert with another, committed the **Felony of Armed Criminal Action**, punishable upon conviction under Section 571.015.1, RSMo, in that on or about October 3, 2016, in the County of Jackson, State of Missouri, the defendant committed the felony of Attempted Robbery in the First Degree charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Attempted Robbery in the First Degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole,

probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 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. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition 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 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.

THE STATE OF MISSOURI

vs.

Cory J. Highsmith

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

Sydney Paquette (#56888)
Assistant Prosecuting Attorney
415 E. 12th St., Floor 7M
Kansas City, Missouri 64106
(816) 881-3111
spaquette@jacksongov.org

WITNESSES:

[REDACTED]
[REDACTED]

PO Jacquelyn R. Hobbs, 1125 Locust, Kansas City, MO 64106

PO Cole A. Massey, 1125 Locust St., Kansas City, MO 64106

DET Darin K. Penrod, 1125 Locust, Kansas City, MO 64106

PO Kelly D. Sapp, 1125 Locust, Kansas City, MO 64106

PO Christopher S. Smith, 1125 Locust, Kansas City, MO 64106

PO Warner J. Stumpfenhaus, 1125 Locust, Kansas City, MO 64106

[REDACTED]

DET Jeremy D. Wells, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 10/13/2016

CRN: 16-74148

I, Det. Jeremy D. Wells #5015 (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 10-03-2016, at 9313 Bales Dr in (Date) (Address)

Kansas City, Jackson Missouri Cory J Highsmith (County) (Name of Offender(s))

B/M, 07-03-1994, 5'11", 200 lbs, SS# committed one or more criminal offense(s). (Description of Identity)

The facts supporting this belief are as follows:

On 10/03/2016 at approximately 1:39 PM, a 911 was received by the KCPD Communications Unit in regard to the sound of gunshots. Members of the Kansas City Missouri Police Department were dispatched to the 3700 block of E. 93rd Street regarding the sound of gunshots. En route, the call was updated to a shooting at 9315 Bales Dr, Jackson County, Kansas City, Missouri, the Canyon Creek Apartment Complex. Upon arrival, officers located a b/m lying near dumpsters in the parking lot nearest 9315 Bales Dr, with apparent life threatening gunshot wounds. The injured b/m was transported to an area hospital but succumbed to his injuries and was pronounced deceased upon arrival. Upon arriving on scene, officers were involved in a brief foot chase with a b/m who was running from the area near the scene. The b/m was seen running carrying something under his arm. The b/m, wearing a white t-shirt, and blue athletic shorts, was apprehended, and the item seen being carried by the b/m as he was running was determined to be a black hooded sweat shirt. Two firearms; a .38 revolver and a .40 caliber handgun, were documented as having been wrapped within the black hooded sweatshirt. The b/m was taken into custody and identified at the scene as Cory J. Highsmith, b/m, 7/3/1994. Numerous spent .40 caliber shell casings were located in the immediate area of where the victim had been located. The victim's vehicle was discovered to be parked within the parking lot near the crime scene. After the victim had been transported to the hospital, ER nurses observed a black nylon holster with a belt clip, a cell phone, and key ring with keys, as being with the victim's body/clothing. The victim was observed to have a short afro hair style. The deceased victim was later identified as Keith Johnson, b/m, 7/24/1995. The Jackson County Medical Examiner's Office ruled Johnson's cause of death as multiple gunshot wounds and the manner of death as homicide.

During the course of the investigation, access was gained to the victim's cell phone, which had been collected from the hospital. The following text thread was observed between the victim's (Johnson) cell phone and a cell number associated with Highsmith. Highsmith's cell number was also the same number associated with the phone found near Highsmith at the time he was taken into custody on 10/3/16 as mentioned above. The text thread between Highsmith's cell number and Johnson read as follows:

1:36 pm- Highsmith's cell #: "Hop in the front seat of (Witness 1's) car he in the back seat and draw down and take his backpack."

1:37 pm- Highsmith's cell#: "Ok"

1:38 pm- Victim (Johnson): "Yup"

Witness #1 was identified at the scene and stated she was seated in the driver's seat of her four door vehicle parked in the parking lot associated with 9315 Bales Dr.. Witness #1 identified single color photos of Cory Highsmith, b/m, 7/3/1994,

PROBABLE CAUSE STATEMENT FORM

CRN 16-74148

the victim (Johnson), and Witness #3, all of whom she was previously familiar with. Witness #1 described Highsmith as standing near the driver's side of her vehicle, Witness #3 as seated in the left rear seat of her vehicle in possession of a backpack, and described the victim (Johnson) as then having arrived in his vehicle. Witness #1 described after Johnson arrived, he walked up to the passenger side of her vehicle. Shortly after Johnson walked up to the vehicle, he pointed a handgun at Witness #3 in the backseat, and stated, "Gimme your shit." Witness #3 then fled the vehicle with his backpack and subsequently fired a weapon at Johnson. Witness #1 stated the shooting took place near two trash dumpsters near her vehicle.

Witness #2 was identified at the scene and was reportedly in the parking lot within the vicinity of the shooting. Witness #2 described a b/m with a bag and how the b/m with the bag hid behind a dumpster and retrieved a handgun from the bag. Witness #2 described a second b/m with a low afro (victim) walk around the dumpster, as the b/m with the handgun and bag began shooting at the victim. As the victim fell to the ground, the b/m with the handgun and bag ran away from the area. Witness #2 described the victim lying on the ground shooting at the b/m who fled. Witness #2 stated after the shooting ended, a larger b/m wearing a black hoodie approached the victim and appeared to be consoling him on the ground.

On 10/4/16 Highsmith was interviewed the day after he'd been taken into custody on 10/3/16. He was given the Miranda Waiver Rights and initially agreed to speak with investigators. Highsmith stated he found the firearms in a field near Canyon Creek Apartments. Highsmith provided no further details and then requested a lawyer.

It should be noted the only firearms recovered from the scene were the two aforementioned firearms which were observed in Highsmith's possession wrapped in the black hooded sweatshirt after the foot chase.

On 10/6/16 Witness #3 was contacted by phone and agreed to speak with detectives and drove himself to 1125 Locust St. He was read the Miranda Waiver Rights form, and provided a statement. Witness #3 stated he was seated in the rear seat of Witness #1's vehicle parked in the parking lot near 9315 Bales Dr. Witness #3 stated he was in possession of a back pack which contained \$135.00 of U.S. Currency and a .40 caliber handgun. Witness #3 identified single color photos of Witness #1, and Corey Highsmith, b/m, 7/3/1994, and the victim (Johnson). Witness #3 described Highsmith as standing outside Witness #1's vehicle on the driver's side, and the victim as having approached the vehicle on the passenger side. Witness #3 described the victim pointed a gun at him and demanded, "Gimme your shit." Witness #3 ran from the vehicle with his backpack and went behind the dumpsters near the vehicle and described the victim coming towards him with a gun. Witness #3 began shooting at the victim and saw the victim fall to the ground, and then ran eastbound as the victim was shooting at him. Witness #3 initially fled inside 9315 Bales Dr, and then promptly left the property with his backpack and firearm, and drove away in his vehicle prior to the police arriving on scene.

Printed Name JEREMY D. WELLS Signature [Handwritten Signature] #5015

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

Judge

Circuit Court of _____ County, State of Missouri.