

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

Police# 16-060095
Prosecutor# 095436249
1616-CR
OCN#

COMPLAINT

STATE OF MISSOURI

vs.

**Gabriel B. Cornelius
13201 McGee St.
Kansas City, MO 64145
DOB: 06/15/1977; Race/Sex: W/M;
SS# [REDACTED]
Defendant.**

**Count I. Involuntary Manslaughter 1st Degree - Operate Motor Vehicle While In An
Intoxicated Condition - Cause The Death Of A Nonpassenger/two Or More Persons/blood
Alcohol Content .18% Or More - 1st Offense (565.024-004Y20050909.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **Class B Felony of Involuntary Manslaughter in the First Degree**, punishable upon conviction under Sections 565.024 and 558.011, RSMo, in that on or about August 15, 2016, in the County of Jackson, State of Missouri, the defendant, while under the influence of alcohol caused the death of Gary Dramshek by colliding with a vehicle in which Gary Dramshek was an occupant when operating a motor vehicle with criminal negligence in that the defendant operated the motor vehicle at an excessive rate of speed and failed to keep a careful lookout, and Gary Dramshek was not a passenger in the vehicle operated by the defendant.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years. An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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.

Gabriel B. Cornelius

JEAN PETERS BAKER

Prosecuting Attorney
Jackson County, Missouri
by,

Brady X. Twenter (#49380)
Assistant Prosecuting Attorney
415 East 12th Street 11th Floor
Kansas City, Missouri 64106
BTwenter@jacksongov.org

WITNESSES:

DET Kurtis J. Anderson, 1125 Locust, Kansas City, MO 64106
PO Jamie D. Lamb, 1125 Locust, Kansas City, MO 64106
PO Nathan I. Magers, 1125 Locust, Kansas City, MO 64106
PO Matthew C. Phelps, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 10/27/2016

CRN: 16-060095

I, **Det. Kurtis Anderson #5019**

(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 08/15/2016, at E. 115th St. and Holmes Rd.

(Date)

(Address)

In Kansas City Jackson Missouri GABRIEL B. CORNELIUS W/M 06/15/1977

(County)

(Name of Offender(s))

(Description of Identity)

committed one or more criminal offense(s).

Manslaughter

The facts supporting this belief are as follows:

On 08/15/2016, at 2000 hours, Kansas City, Missouri Police Officers were dispatched to E. 115th St. and Holmes Rd., Kansas City, Jackson County, Missouri on an injury accident. Upon arrival, officers determined a silver Chevrolet Silverado, bearing Kansas license plate 258HTR, had struck a black Ford Escort, bearing Missouri license plate MD1B7X. The driver of the Ford, Gary Dramshek, was transported to an area hospital where he was later pronounced dead.

The defendant and driver of the Chevrolet, **GABRIEL B. CORNELIUS (W/M, 06/15/1977)**, was uninjured and remained at the scene. The defendant stated he was driving his Chevrolet truck southbound on Holmes Rd. He drives the road every day and knows that it changes from 4 lanes to 2 lanes. He was driving in the outside lane and merged to the inside lane while traveling approximately 45 mph. A vehicle was suddenly in front of him turning left onto 115th St. He did not have time to stop so he swerved to the left into the oncoming lane of traffic. He struck the vehicle in front of him and then coasted to the right side of the roadway. He stated he was not tired, had not drank alcohol or used any drugs. A DUI Officer responded to the scene and contacted the defendant. The Officer observed a moderate odor of an alcoholic beverage coming from the defendant's breath. The defendant's eyes were observed to be watery and bloodshot. The defendant's balance was observed to be swaying. The defendant performed the Standardized Field Sobriety Tests, which showed signs of impairment. The defendant was read Missouri Implied Consent and agreed to provide a chemical sample of his blood. The defendant was transported to an area hospital where two blood draw was provided.

The toxicology report revealed the defendant tested positive for the presence of Carboxy-THC and Ethanol at both blood draw times. The first blood draw was conducted on 08/15/2016 at 2230 hours, which revealed an Ethanol level of .143gm/dL. The second draw was conducted at 2339 hours, which revealed an Ethanol level of .125 gm/dL.

Accident Investigation Section Officers conducted an investigation of the collision. The officer determined both vehicles were traveling southbound on Holmes Rd. The Ford attempted to make a left turn onto 115th St. The defendant approached the Ford from the rear, traveling at an excessive speed. The defendant steered into the Ford's path of travel and struck the Ford in the left door. The defendant was under the influence of both alcohol and drugs at the time of the collision. The excessive speed of the defendant, as well as steering into the path of the left turning vehicle, not only caused the collision, but also maximized the severity of the injuries causing by the impact. The driver of the Ford was killed as a result of the collision.

A computer check revealed the defendant to have a valid operator's license through Missouri Department of Revenue.

Printed Name Det. Kurtis Anderson #5019

Signature Det. Kurtis Anderson #5019

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

Judge

Circuit Court of _____ County, State of Missouri.