

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

Police# 16-095276
Prosecutor# 095436802
1616-CR
OCN# C0052880

COMPLAINT

STATE OF MISSOURI

vs.

**Justin M. Sherman
10 E. 127th Terrace
Kansas City, MO 64145
DOB: 09/20/1987; Race/Sex: W/M;
SS# [REDACTED]
Defendant.**

Count I. Robbery 2nd Degree (569.030-001Y19791299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.030, RSMo, committed the **class B felony of Robbery in the Second Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about December 20, 2016, in the County of Jackson, State of Missouri, the defendant forcibly stole a Ford Ranger truck, in the possession of Sanford Kiesel.

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.

Count II. Tampering With Motor Vehicle 1st Degree (569.080-002Y20052999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.080.1(2), RSMo, committed the **class C felony of Tampering in the First Degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about December 20, 2016, in the county of Jackson, State of Missouri, the defendant knowingly and without the consent of the owner unlawfully operated an automobile, to wit: a Nissan Frontier.

The range punishment for a class C 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 seven (7) 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. Tampering With Motor Vehicle 1st Degree (569.080-002Y20052999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.080.1(2), RSMo, committed the **class C felony of Tampering in the First Degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about December 20, 2016, in the county of Jackson, State of Missouri, the defendant knowingly and without the consent of the owner unlawfully operated an automobile, to wit: a Ford Ranger.

The range punishment for a class C 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 seven (7) 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 IV. 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 December 20, 2016, in the county of Jackson, State of Missouri, law enforcement officers, were 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 officers were making a lawful stop, and, for the purpose of preventing the officers from effecting the stop, resisted the stop by fleeing from the officers 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 motor vehicle at speeds in excess of 100 miles per hour, drove through residential yards, struck a motor vehicle, failed to yield to traffic signs and signals, and drove into oncoming lanes of traffic.

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 V. Driving While Revoked/suspended - Third Or Subsequent Offense (302.321-005Y20115499.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 302.321, RSMo, committed the class D felony of driving while license was revoked, punishable upon conviction under Sections 302.321, 558.011, and 560.011, RSMo, in that on or about December 20, 2016, in the county of Jackson, State of Missouri, the defendant operated a motor vehicle on a highway, near 31st Street and Broadway, Kansas City, Missouri, during a time when the defendant's operator's license was revoked under the laws of this state, and acted with criminal negligence with respect to knowledge of the fact that the defendant knew or was aware that the defendant's operator's license was revoked, and:

1) on or about July 15, 2013, the defendant was convicted of the class D felony of driving while revoked in Cass County, Missouri, for events that occurred on November 2, 2012, and

2) on or about January 3, 2013, the defendant was convicted of driving while revoked in Grandview, Missouri for events that occurred on August 3, 2012, and

3) on or about November 7, 2012, the defendant was convicted of driving while revoked, in Belton, Missouri for events that occurred on March 16, 2011.

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.

Justin M. Sherman

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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WITNESSES:

PO Erik S. Braden, 1125 Locust, Kansas City, MO 64106

DET Anthony L. Castelletto, 1125 Locust, Kansas City, MO 64106

PO Brian A. Cooper, 1125 Locust, Kansas City, MO 64106

PO Michael E. Crooks, 1125 Locust, Kansas City, MO 64106

PO Jermaine R. Garth, 1125 Locust, Kansas City, MO 64106

[REDACTED]

[REDACTED]

DET Lori G. Meadors, 1125 Locust, Kansas City, MO 64106

DET Gregory M. Mosier, 1125 Locust, Kansas City, MO 64106

PO Benjamin I. Ryan, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 11-03-2015

CRN: 15-079208

I, Detective Robert Roubal #5075

(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 11-02-2015, at 625 W 84 Terrace in
(Date) (Address)

Kansas City, Jackson Missouri John C. Sherman
(County) (Name of Offender(s))

W/M 04-23-1985 [REDACTED] 5'08 130 Blk Bro committed one or more criminal offense(s).
(Description of Identity)

Child Abuse/Child Endangerment/Assault

The facts supporting this belief are as follows:

On 11-02-15, officers were dispatched to Children's Mercy Hospital in regard to information on a juvenile. Officers contacted AF, the mother of AFW, a 1 year old male, who stated on 10-31-15, she dropped AFW off at his dad's house, RW. AFW had no injuries when she dropped him off. RW returned AFW on 11-02-15, and AF noticed AFW was drowsy and had a bruising on his back, chest, and butt. She asked RW what happened to AFW, and he told her the child was hurt playing with the child of **John C. Sherman, W/M, 04-23-1985** on a play date. He also informed her AFW was feeling sick. AF started getting AFW ready for bed and noticed he was limp and non-responsive. She was concerned and transported AFW to the hospital. AF called RW and he joined her at the hospital.

Officers then contacted RW who stated on 11-02-15, Sherman picked up AFW from his house for a play date with Sherman's child. RW stated AFW did not have any bruising prior to Sherman picking him up. RW went by Sherman's house, located at **625 W. 84th Terr., Kansas City, Jackson County, Missouri** to pick up AFW. Sherman told him AFW and his child got into a fight over a toy hammer causing a small bruise to AFW's head. Sherman also told him AFW was feeling sick and just puked before he got there. RW noticed AFW was drowsy and believed it due to AFW being sick. RW returned AFW to AF's house.

On 11-03-15, detectives responded to Children's Mercy Hospital and contacted medical personnel who stated AFW had multiple bruises to his body, a lacerated liver, internal bleeding, was intubated, and listed in critical but stable condition.

On 11-03-15, at approximately 1756 hours, Sherman was arrested and transported to Metro Patrol Detention. Sherman was presented with the Miranda Warning and Waiver form 340 PD. The Adult Miranda Warning was read aloud to Sherman. Sherman advised he understood his rights, agreed to talk, and signed the Waiver.

During the time of the reported incident, Sherman observed his daughter, MS, a 1 year old female, hitting AFW on the head with a wooden, toy hammer approximately five times at approximately 0900 hours. Sherman indicated MS did not hit AFW very hard. Sherman did not observe any injuries to AFW immediately after MS struck him. As the day progressed, the injuries developed. Later in the day, MS pushed AFW off the couch. AFW was already getting up from the floor when Sherman observed him.

Sherman advised he took pictures of AFW, who was happy. Sherman acknowledged posting pictures of AFW with visible injuries to his head on social media.

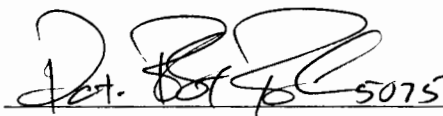
PROBABLE CAUSE STATEMENT FORM

CRN 15-079208

Sherman knew the injuries to AFW were significant. Sherman stated, "I didn't hurt the boy/kids." Sherman also advised "he didn't have a track record of hurting people." Sherman described himself as a "coward."

Printed Name Det. Robert Roubal #5075

Signature

 Det. Roubal #5075

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

Judge

Circuit Court of _____ County, State of Missouri.