

**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
(816) 881-3560
kjbaker@jacksongov.org

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



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: 12-21-2016

CRN: 16-095276

I, Detective Tim Fitzgerald #5492, 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 12-20-2016, at 3315 Calico Drive in
(Date) (Address)

Kansas City, Jackson Missouri Justin M. Sherman
(County) (Name of Offender(s))

W/M 09-20-1987, committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

- Strong Arm Robbery
Felony Eluding
Tampering
Property Damage
Resisting Arrest
Leaving the scene of an accident (X2)
Felony driving while revoked

On 12-20-2016 at approximately 1042 hours, a district officer was dispatched to the area of 3101 Broadway, Kansas City, Jackson County, Missouri on a reported traffic accident and while at that location, a white Nissan Frontier truck with Missouri license B340589 (VIN: 1N6AD0EVXCC416358), later determined to be a stolen vehicle from Kansas (#16-095278), struck the mirror of the officers patrol vehicle breaking it. The driver of the Nissan Frontier, later identified as Justin M. Sherman W/M 09-20-1987, fled the scene of the accident driving north on Broadway away from the location. Officers responded to the location and located the vehicle driving at a high rate of speed in the area and then observed the vehicle fail to stop at a stop light. Officers attempted to stop the Nissan Frontier however Sherman failed to stop for officers and a pursuit was initiated. While officers were pursuing the vehicle, a Police helicopter responded to the area and started to follow the vehicle. While the helicopter was overhead and officers were following Sherman, he was observed committing numerous traffic violations. While driving in excess of 100 mph, Sherman failed to stop at several red stop lights and drove into oncoming traffic causing imminent danger to the other drivers on the roads. Sherman left the roadway on several occasions and drove through multiple residential yards. While in the area of Bannister Road and State Line, Sherman struck a vehicle on the street and continued west on 135th street into Kansas (#16-095253). Sherman eventually drove back into Missouri and drove to a gated apartment complex in the area of 3315 Calico Drive, Kansas City, Jackson County, Missouri at which time Sherman used the Nissan Frontier to ram the front metal security gate to gain access into the apartment complex causing extensive damage to the gate which was owned by International House Of Prayer (#16-095264). After driving through the apartment complex, Sherman exited the Nissan Frontier and ran on foot toward a white Ford Ranger truck with Missouri license

PROBABLE CAUSE STATEMENT FORM

CRN 16-095276

4PX781 (VIN:1FTZR15V5XPA58291). The Ford Ranger was occupied by SK, a male victim, who was exiting the vehicle as **Sherman** approached him. **Sherman** demanded that SK give him his car keys and then grabbed SK by his arm and pulled him out of the Ford Ranger. **Sherman** entered the Ford Ranger and was driving out of the apartment complex when he drove over and damaged a metal railing in the complex. **Sherman** drove the stolen Ford Ranger out of the apartment complex and again drove at a high rate of speed away from the area. District officers again pursued **Sherman** in the Ford Ranger and used stop sticks to flatten a tire on the vehicle. **Sherman** drove to the area of 105th Terrace and College where he drove the Ford Ranger off the roadway and the vehicle became disabled. As officers approached **Sherman** in the vehicle, he again attempted to flee and accelerated the speed of the vehicle causing the vehicles tires to spin and the vehicle to move. District officers fired bean bag rounds at **Sherman** to subdue him and after striking **Sherman** with the bean bag rounds he exited the Ford Ranger and was taken into custody.

Detectives interviewed SK regarding the robbery and showed him a photo lineup containing **Sherman**. SK was unable to positively identify **Sherman** in the photo lineup.

Detectives attempted to interview **Sherman** after he was released from the hospital however he immediately requested an attorney and an interview was not conducted.

Sherman's driver's license is revoked through Missouri DOR and he has been arrested and convicted of Driving While Revoked nine times in the past to include the following instances: arrested on 11-02-2012 in Harrisonville, Missouri for Felony Driving While Revoked and convicted on 07-15-2013, arrested on 08-03-2012 in Grandview, Missouri under UTT 111734782 and convicted on 01-03-2013, arrested on 03-16-2011 in Belton, Missouri under UTT 101899597 and convicted on 11-07-2012, and arrested on 04-20-2010 in Butler, Missouri under UTT 071336063 and convicted on 12-07-2011.

Printed Name Detective Tim Fitzgerald #5492 Signature Det. Fitzgerald #5492

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

Judge

Circuit Court of _____ County, State of Missouri.