

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	17-000960
PROSECUTOR NO. :	095438701

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
JONATHAN MICHAEL MARQUARDT)	
1804 NE Whitestone Drive,)	CASE NO. 1716-CR
Lees Summit, MO - 64086)	DIVISION
DOB: 03/02/1991)	
Race/Sex: W/M;)	
SSN: XXX-XX-XXXX)	
)	DEFENDANT.

COMPLAINT

Count I. Dwi - Death To Another Person (577.010-020Y20175404.0)

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, committed the **class B Felony of driving while intoxicated**, punishable upon conviction under Sections 558.011(11)d and 577.010, RSMo, in that on or about March 25, 2017, 350 Hwy and Raytown Road, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol, and acted with criminal negligence by traveling at a high rate of speed and failing to stop for a red traffic signal, striking the rear of another vehicle, and as a result caused death of AN,

and defendant is a habitual offender, in that defendant caused the death of AN who was not a passenger in the vehicle in which the defendant was operating, or

caused the death of AN while his blood alcohol content was at least eighteen-hundredths of one percent by weight of alcohol.

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.

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Count II. Dwi - Physical Injury To Another Person (577.010-026Y20175404.0)

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, committed the **class D of driving while intoxicated**, punishable upon conviction under Sections 558.011 and 577.010, RSMo, in that on or about March 25, 2017, 350 Hwy and Raytown Road, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle while under the influence of alcohol, and acted with criminal negligence by traveling at a high rate of speed and striking the rear of another vehicle in which [REDACTED] was an occupant, and as a result caused serious to [REDACTED].

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 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 ten thousand dollars (\$10,000); 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.

Count III. Leaving Scene Of Accident - Property Damage Exceeding \$1,000 (577.060-002Y20175401.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 577.060, RSMo, committed the **class E felony of leaving the scene of an accident**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about March 25, 2017, the defendant, while operating a motor vehicle on 350 Hwy and Raytown Road, in the County of Jackson, State of Missouri, was involved in an accident that resulted in damage to the property of Marcus A. Cox in excess of one thousand dollars, and the defendant knew that such accident had occurred, and defendant left the location of the accident without stopping and giving defendant's name, residential address, license number of defendant's vehicle, and operator's license number to the other party in the accident, a law enforcement officer in the vicinity, or to the nearest law enforcement agency.

The range punishment for a class E 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 ten thousand dollars (\$10,000); 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.

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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,

/s/ Michael J. Hunt
Michael J. Hunt (#34818)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO - 64050
(816) 881-3856
mhunt@jacksongov.org

WITNESSES:

CPL Nathan Brand , 10000 E. 59th Street, Kansas City, MO - 64133

Marcus A. Cox , 418 SE 7th Street, Lees Summit, MO - 64086

PO Ronald Davis , 10000 E. 59th Street, Raytown, MO - 64133

PO Logan Dye , 10000 E. 59th St., Raytown, MO - 64133



PO Brian Porch , 10000 E. 59th Street, Raytown, MO - 64133

Abigail Shockley , Prosecuting Atty. Office, Kansas City, MO - 64106

Probable Cause Statement Form

17-0960

Date: 03-27-2017

I, M/Ptl Brian Porch, 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 03-25-2017, at E. MO 350 Highway and Raytown Road, Raytown Missouri 64138, Jonathan M. Marquardt, white male, 03-02-1981, # [REDACTED], committed one or more criminal offense(s).

The facts supporting this belief are as follows:

On 03/25/2017 at approximately 0304 hours, Officers responded to a hit and run crash occurred on eastbound 350 Highway at Raytown Road in the right through lane. Vehicle2, a 1996 Nissan passenger car bearing MO license FP0 R9M was broken down on the roadway. The driver Marcus A. Cox, a black male born 12-16-1998 was standing outside the vehicle while his pregnant (33 weeks) girlfriend, [REDACTED] [REDACTED], a white female born 01-16-2001 remained seated in the car. While the driver of the broken down vehicle was attempting to call for assistance, a dark colored 2006 Dodge Ram 1500 pickup, bearing MO license plate 8AU 466 was traveling eastbound, approaching at a high rate of speed. Mr. Cox advised that the traffic signal at Raytown Road was red as the pickup approached, but the truck did not appear to be slowing down. The truck then struck the rear of the Nissan passenger car, leaving the area northbound on Raytown Road. [REDACTED] complained of neck and head pain, and was transported by Raytown Paramedic Rescue Ambulance, R302, to Children's Mercy Hospital, 2401 Gilham Road, Kansas City Missouri.

At 0309 hours on 03/25/2017, Sgt. Nathan Brand observed a pickup truck matching the description of the Dodge Ram traveling northbound on Raytown Road at Gregory. He noticed that the truck did not have any headlights illuminated as it was driving northbound. Sgt. Brand turned around and was able to make a traffic stop on the truck at 67 Street & Raytown Road. He noticed that the driver of the truck, identified as Jonathan M. Marquardt, a white male born 03-02-1991 had mumbled speech and his eyes were bloodshot red and had a glassy appearance. Sgt. Brand advised that Mr. Marquardt denied being involved in a crash. He also indicated that the driver would look around and then stop and stare while being spoken to. Mr. Cox was transported to the location of the traffic stop by another officer and was identified as the driver of the truck that had struck

his car. Mr. Cox also stated that the pickup truck that had been stopped by police was the same vehicle that had struck his vehicle.

Mr. Marquardt was given a series of Standardized Field Sobriety Tests by P.O. Logan Dye. P.O. Dye administered the Horizontal Gaze Nystagmus test, in which Mr. Marquardt's eyes did not track equally, showed no smooth pursuit, had distinct nystagmus at maximum deviation, and showed onset before forty five degrees with some white showing. The Walk and Turn test was then administered. Mr. Marquardt failed to maintain heel to toe stance, started before the instructions were given, lost balance while walking, failed to touch his heels to his toes on numerous steps, used his arms for balance, made an improper turn, and took an incorrect number of steps. The One Leg Stand was then administered. Mr. Marquardt stood on his right foot during the test and swayed while trying to balance. He used his arms for balance and placed his left foot onto the ground numerous times after losing balance.

After administering the field sobriety tests, Mr. Marquardt was arrested for driving while intoxicated and voluntarily submitted to breath testing. The test was administered by P. O. Davis at Raytown Police Headquarters where Mr. Marquardt provided a sample of .233 %.

Upon arrival at the Children's Mercy Hospital Emergency Department, an examination was conducted on [REDACTED] and it was determined that she had suffered a 25% placental abruption as a result of the crash. An emergency Caesarian-Section had to be performed due to the injuries that [REDACTED] sustained in the crash and the baby died.

Mr. Marquardt showed a Driving While Intoxicated arrest 07-20-2012 in the city of Lee's Summit Missouri. With a conviction on 12-20-2012.

Signature /S/ Brian Porch

THE COURT FINDS PROBABLE CAUSE:

Signature: _____

Date: _____