

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI**  
**AT INDEPENDENCE**

<b>POLICE NO. :</b>	17-001276
<b>PROSECUTOR NO. :</b>	095439018

<b>STATE OF MISSOURI,</b>	)	
	)	<b>PLAINTIFF,</b>
<b>vs.</b>	)	
<b>DAVID A TURNER</b>	)	
<b>11601 E. 58th Ter.,</b>	)	<b>CASE NO. 1716-CR</b>
<b>Raytown, MO - 64133</b>	)	<b>DIVISION</b>
<b>DOB: 06/25/1998</b>	)	
<b>Race/Sex: W/M;</b>	)	
<b>SSN: XXX-XX-XXXX</b>	)	
	)	<b>DEFENDANT.</b>

**COMPLAINT**

**Count I. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim**  
**(565.050-001Y19841304.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the class A felony of assault in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about April 18, 2017, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [REDACTED] by shooting [REDACTED].

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

The range of punishment for a class A felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years and not to exceed thirty (30) years, or life imprisonment.

**Count II. Armed Criminal Action (571.015-001Y19755213.0)**

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, committed the felony of armed criminal action, punishable upon conviction under Section 571.015.1, RSMo, in that on or about April 18, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in

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Count 1, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault 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.

**JEAN PETERS BAKER**

Prosecuting Attorney  
Jackson County, Missouri  
by,

*/s/ Hallie L. Williams*


Hallie L. Williams (#66333)  
Assistant Prosecuting Attorney  
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**WITNESSES:**

████████████████████████████████████████████████████████████████████████████████  
PO Lucas Freeland , 10000 E. 59th St., Raytown, MO - 64133

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PO Adam Koepke , 10000 E. 59th St., Raytown, MO - 64133

  
DET Nancy Wasko , 10000 E. 59th Street, Raytown, MO - 64133

## Probable Cause Statement Form

Date: 04-18-2017

Report #17-1276

I, Detective Freeland, 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 04-18-2017, at 5620 Woodson Rd., Raytown, Jackson County, MO, 64133, David A. Turner, white male, 06-25-1998, [REDACTED] committed one or more criminal offense(s).

The facts supporting this belief are as follows:

On 04-18-2017 at 1233 hours, Raytown Police were called to shots fired in the area of 56<sup>th</sup> Street and Woodson Rd. While en route to the scene police were updated by Raytown dispatch that a white male was down on the ground while another white male was running away from the scene. The white male running away from the scene was wearing a white shirt, blue baseball style cap.

When police arrived they located a white male later identified as [REDACTED] with an apparent gunshot wound to his chest. While [REDACTED] was rendered medical attention other Police officers searched the area for the possible shooter and anyone else who may have been involved.

Dispatch advised Officers that a witness saw a Blue colored Honda Civic leaving the area of the shooting.

Detective Scott Gillespie and Detective Joe Holt located a white male wearing a blue colored baseball cap and white shirt on his telephone walking on 58<sup>th</sup> Terrace approximately 100 feet from Westridge Rd. Det. Gillespie and Det. Holt conducted a pedestrian check on the white male later identified as David Turner. David put both his hands in the air and made the spontaneously utterance that he was only defending himself. Det. Holt checked Mr. Turner for weapons and Det. Holt felt a large bulge in David's front right pocket consistent with a gun. Officer Kevin Sheets arrived with Det. Gillespie and Det. Holt to assist. Officer Sheets went inside David's pocket and pulled out a handgun (Glock 27- .40 Cal). A .40 caliber shell casing was also in David's pocket.

Det. Nancy Wasko and Det. Frank McDevitt were in the area of 58<sup>th</sup> Terrace and Westridge when Det. Wasko saw a blue Honda traveling southbound on Westridge approaching 58<sup>th</sup> Terrace. Detective Wasko conducted a car check on the car. The driver was [REDACTED] and the front passenger was his son, [REDACTED]. Det. Wasko contacted [REDACTED] while Det. McDevitt contacted Robert. Zack told Det. Wasko that he and his friend [REDACTED] who was identified as [REDACTED] were walking to [REDACTED]'s house from [REDACTED]'s house. They were walking to [REDACTED]'s house in order to get [REDACTED]'s bicycle. While they were walking on Woodson Rd. around 56<sup>th</sup> Street [REDACTED] asked a white male who was also walking, "what's up bro?" The white male was later identified as David Turner. David and [REDACTED] had words back and forth but [REDACTED] did not know what was said. [REDACTED] saw David pull out a black colored handgun from his

right pocket and point it at [REDACTED]. [REDACTED] began to run away. As he was running away he heard four gunshots. He saw [REDACTED] fall to the ground but [REDACTED] kept running away. [REDACTED] said he ran through a field and hid behind a tree. He called his father [REDACTED] who came to pick him up a couple blocks away.

Det. McDevitt spoke with [REDACTED] who said he was at his house at 7705 E. 48<sup>th</sup> Street when [REDACTED] called him. [REDACTED] told him that someone had shot at him and [REDACTED] and he ([REDACTED] needed to be picked up. [REDACTED] responded to the area where he saw [REDACTED] and picked him up. [REDACTED] drove around the area trying to find the shooter when he was stopped by police.

Det. Rickey Krefft contacted "[REDACTED]" while he was at Research Medical Center. [REDACTED] said he was walking down the street with his friend, who he would not identify, when he saw a young white male, 100 lbs., wearing a blue royals flat billed baseball cap walking on the other side (east) of the street. The white male was staring at him as he was walking. [REDACTED] asked, "What's up?" The white male said, "What the fuck you looking at?" [REDACTED] walked across the street to ask the white male what his problem was. The white male pulled out a "glock 9" handgun from his pocket. [REDACTED] said, "If you pull that out, you better use it". [REDACTED] walked back across the street when he heard gunshots behind him. He started running into a field. He felt being shot twice and then fell down. He then saw his chest and held onto it until police arrived.

Det. Krefft was told by the Emergency Room (ER) Doctor that [REDACTED] was shot in his back and the bullet came out his abdomen. He was also shot in the back of his right bicep and exited through the front of his right bicep.

[REDACTED] said he did not know the shooter but has seen him in the neighborhood around the area of 59th Street and Woodson.

Detectives at the scene recovered two .40 caliber shell casings from the area in front of 5620 Woodson Rd.

Detective Freeland and Detective Wasko interviewed [REDACTED] at Raytown Police Headquarters. He told them that while walking with his acquaintance [REDACTED], the two saw another male on the other side of the road "thugging." He explained that [REDACTED] went across the street to say hi, being friendly. [REDACTED] stayed on the other side of the street where he observed the male pull out a gun. He stated that he started walking down the street not knowing what else to do and saw [REDACTED] turn and start walking quickly back towards him and away from the man with the gun. He described hearing two gun shots as [REDACTED] was walking away from the male and saw [REDACTED] clutch his chest. He said that he started running away and heard another two gun shots, but continued running. He eventually saw [REDACTED] fall in the middle of a field. He called his dad to come pick him up.

Detective Freeland and Detective Wasko interviewed David at Raytown Police Headquarters. He told them that while he was walking north along Woodson Rd. to the gas station, a "full grown man" he had never seen before stared him down from the other side of the road. After they passed, he could tell the other man was still staring at him, so he turned around and yelled at him asking if he had a problem. The man walked across the road towards him yelling profanities at him and calling him names such as "pussy" and "bitch." He explained warning the man to

stop before taking his handgun out of his pants. He stated that he kept it pointed down at the ground and warned the man to stay away, but when the man continued to be aggressive he aimed the gun at the man's midsection. He stated that as he began to pull the trigger the man started to turn away and by the time he had fired three times the man had turned all the way around and was running back west across the street. He told Detectives that he lost track of the man when he ran through the backyard of the house across the street. David stated that he had bought the gun two months ago and been carrying it with him ever since.

Name Detective Lucas Freeland Signature: /s/ Freeland #1467

THE COURT FINDS PROBABLE CAUSE:

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Judge