

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

POLICE NO. :	17-072997
PROSECUTOR NO. :	095441392

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
SEAN D. STEWARD)	
4410 Olive,)	CASE NO. 1716-CR
Kansas City, MO - 64130)	DIVISION
DOB: 03/10/1995)	
Race/Sex: B/M;)	
SSN: XXX-XX-XXXX)	
)	DEFENDANT.

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840999.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.021, RSMo, committed the **Class A Felony of Murder in the Second Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about on or about August 20, 2017, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Thomas Orr by shooting him.

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 August 20, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the second degree by, with and through, the knowing use, assistance and aid of a deadly weapon.

State vs. Sean D. Steward

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.

Count III. Assault 1st Degree Or Attempt (565.050-002Y19791304.0)

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 B Felony of Assault in the First Degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about August 20, 2017, in the County of Jackson, State of Missouri, the defendant shot at the victim, and such conduct was a substantial step toward the commission of the offense of assault in the first degree of [REDACTED], and was done for the purpose of committing such assault.

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 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 IV. 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 August 20, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count III, 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.

State vs. Sean D. Steward

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/ Mary Beth Lundak
Mary Beth Lundak (#38654)
Assistant Prosecuting Attorney
415 East 12th Street Floor 7M
Kansas City, MO - 64106
(816) 881-3888
MLundak@jacksongov.org

State vs. Sean D. Steward

WITNESSES:

[REDACTED]
[REDACTED]
DET Ray H. Lenoir, 1125 Locust, Kansas City, MO - 64106

Thomas Orr, 10 NE Tudor, Lee's Summit, MO - 64086

[REDACTED]
[REDACTED]
PO Kellen E. Story , 1125 Locust, Kansas City, MO - 64106

PO Brandon B. Winders , 1125 Locust, Kansas City, MO - 64106

PO Kelsey S. Wingate , 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 09/20/2017

CRN: 17-072997

I, Det. Ray Lenoir
(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 08/20/2017, at 4124 Pennsylvania Ave. in
(Date) (Address)

Kansas City, Jackson Missouri Sean D. Steward
(County) (Name of Offender(s))

B/M, 03/10/1995 SSN [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 08-20-2017 at approximately 2024 Hours, Officers of the Kansas City Missouri Police Department were dispatched to Californos Restaurant and Bar located at 4124 Pennsylvania Ave. Kansas City, Jackson County, MO 64110 on a reported shooting. Upon arrival, they discovered two victims on the patio area who had sustained apparent gunshot wounds. One victim was pronounced dead at the scene and the other was transported to an area hospital where she was treated for a gunshot wound.

One witness who was leaving the scene was stopped by officers. The witness requested the officer allow them to write their information on his notepad. Aside from writing their name, the witness also wrote, "Guy's name who killed the boy is Sean" "ex-girlfriend's Instagram: brishayyyyy". The witness further advised they already knew the suspect's identity prior to this offense. During a recorded phone interview with this witness on 08/22/17, the witness stated, "I saw Sean fire the gun", and added that he, "ran down the stairs and out at the bottom lower entrance to the Californos". The witness stated that the suspect's ex-girlfriend's name is "Leah" and explained that "Leah's" Instagram name is the aforementioned "brishayyyyy". The witness and ex-girlfriend had been schoolmates at one time and the witness knew that the suspect had a child with the ex-girlfriend. The witness stated that while at Californos, they saw the suspect approximately 15 minutes before the shooting occurred and they each acknowledged the other's presence. Shortly after, there was a disturbance in the area involving two black males. The witness said one black male struck the other in the face causing him to fall to the floor. After striking the man that fell to the floor, the striker ran away through the crowd. As this man was running away, the suspect, whom she had earlier identified as "Sean" fired a gun into the crowd. The witness described the suspect's gun as being a black handgun and advised they never saw anyone else with a gun.

On 08/21/17, another witness called the Homicide Unit stating that she had information regarding the identification of the suspect in this offense. At the time, she provided her telephone number and asked that detectives contact her at the number.

PROBABLE CAUSE STATEMENT FORM

CRN 17-072997

On 08/21/17, detectives contacted the witness using the telephone number she provided and conducted a recorded telephone interview with her. She advised that several people that attended the "Day Party at Westport" knew her and the suspect. Some of them told her that the suspect had committed this offense. The witness stated they explained to her how the suspect "got into it with three dudes" and he subsequently "pulled out a gun and began shooting recklessly". "One of the shots hit the off duty officer and another woman." The suspect reportedly left the area in a black Charger. The witness advised that the last gun she knew the suspect to have was a Glock Mod. 22 which is a 40 caliber handgun. She identified the suspect as Sean Steward, BM, 03/01/95. The Homicide Unit received photographs taken from FACEBOOK of the party involved in this offense. The photographs had the Facebook names of "Stew Bird" and "Cuzzo Jay". Detectives forwarded two of the photographs via e-mail to the witness to ascertain her response to them. She identified "Stew Bird" as the suspect Sean Steward.

On 08/25/17, detectives contacted [REDACTED], BM, 01/03/1988. [REDACTED] was the victim of an assault at Californos moments before the shooting happened. He advised that he was assaulted from behind and had not seen his assailant. He was still disoriented from the assault when the shot was fired and never saw who the shooter was. He advised that he was later informed by friends who were also there that Jeremiah Crow assaulted him. Bushnell stated that approximately 3 years ago, he and some associates assaulted Crow and Crow was out to retaliate. He advised that before he was assaulted on this day, he had seen Crow at the Day Party at Californos. He also was shown the FACEBOOK photograph that included a photograph of Sean Steward. He referred to Steward as "the little partner that was with him" (meaning Crow).

On 09/01/17 [REDACTED] was presented with a photo lineup that included a photograph of Crow. He pointed out the photograph of Jeremiah Crow and referred to him as "Jay" and stated that he was the person who assaulted him.

Another witness was contacted at the scene and interviewed on 08/20/17. They stated that on 08-20-2017 while at Californos, they witnessed an altercation between two unknown black males. One of the unknown black males "punched" the other and then ran away. The man running away fell down the stairs. He then got up, lifted up his shirt, pulled out a gun and shot it while pointing it in the direction of the witness.

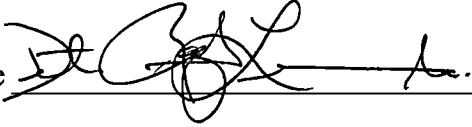
On 8/21/17 this witness re-contacted detectives and emailed photographs of "the guys involved" that she had found on Facebook. She identified the person in those photos as "Stew Bird" and "Cuzzo Jay"

She then responded on 08/25/17 for another interview. She stated she saw the black male that threw the punch get up and lift his shirt, pull out a gun and shoot. She also remembered another black male in black run past her with a gun. This second black male was running in the same direction as the black male that threw the punch. [REDACTED]s stated this second black male fired his gun in the direction of her and the deceased victim [REDACTED] described the gun as a black gun and she heard two shots [REDACTED] stated she had not been thinking as clearly the night of the homicide as she was now because the night of her first interview she had just witnessed a homicide and now she has had time to rerun the events of the night through her mind. She described the second black male as being skinny, wearing a black shirt, black pants and had a light complexion. The witness identified the Facebook photos she had sent to the detectives and identified "Cuzzo Jay" as the person she saw throw the punch and fall down the stairs. She identified "Stew Bird" as the person she saw fire the gun toward her and the victim.

PROBABLE CAUSE STATEMENT FORM

CRN 17-072997

During investigation, Detectives found that Sean Steward's mother had a dark Blue Dodge Charger registered to her.

Printed Name Det. Ray Lenoir Signature  #3625

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

Judge

Circuit Court of _____ County, State of Missouri.