

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

POLICE NO. :	16-072644
PROSECUTOR NO. :	095442965

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
AMBER C. CUNNINGHAM	)	
AKA AMBER MCCOM	)	
5218 E. 12th St., Apt. #3	)	CASE NO. 1716-CR
Kansas City, MO - 64127	)	DIVISION
DOB: 09/10/1985	)	
Race/Sex: W/F;	)	
SSN: XXX-XX [REDACTED]	)	
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 September 25, 2016, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Luis A. Molina by stabbing 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 (571.015-001Y19755212.0)

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, RSMo, in that on or about September 25, 2016, 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 dangerous instrument.

State vs. Amber C. Cunningham

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 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/ Lauren Whiston

Lauren Whiston (#66185)
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WITNESSES:

DET Scott M. Emery , 1125 Locust, Kansas City, MO - 64106

[REDACTED]

PO Benjamin T. Lindsay , 1125 Locust, Kansas City, MO - 64106

Luis A. Molina , Prosecuting Atty. Office, Kansas City, MO - 64106

DET Scott P. Mullen , 1125 Locust, Kansas City, MO - 64106

[REDACTED]

DET Hobart D. Price , 1125 Locust, Kansas City, MO - 64106

DET Brent R. Taney , 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 12-21-2017

CRN: 16-072644

I, Detective Scott Mullen #5431

(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 09-27-2016, at 2532 Poplar Av in
(Date) (Address)

Kansas City, Jackson Missouri Amber C. Cunningham (McCon)
(County) (Name of Offender(s))

B/F 09-10-1985, [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

Murder
Armed Criminal Action

The facts supporting this belief are as follows:

On 09-27-2016 at 1945 hours, Officers from the Kanas City Missouri Police Department were dispatched to 2532 Poplar Ave, Kansas City, Jackson County, Missouri in regard to an ambulance call. Upon arrival a deceased male wearing only boxer shorts was discovered inside the residence. The victim was covered in blood and had numerous wounds on his body from an apparent sharp object. Blood was observed in every room of the house on the main level. Blood was observed on the walls, doors, floors, furniture, and counter tops. The victim's vehicle was found near the rear of the residence which was described by the reporting parties as not normal. Blood was observed near the ignition and gear selector handle inside the vehicle.

When the crime scene and victim's vehicle were processed for evidence, latent fingerprints and DNA swabs of multiple objects were obtained. One apparent acrylic fingernail was recovered from the victim's vehicle and two apparent acrylic fingernails were recovered from the crime scene inside the residence. All three nails are similar in appearance with the same shade of color and glitter on each of the nails.

An analysis of the fingerprints recovered from the vehicle by the KCPD Crime Lab revealed the victim's fingerprints on multiple items from his vehicle. The analysis also revealed the prints of **Amber C. Cunningham B/F 09-10-1985, SSN: [REDACTED]** on a Modelo beer can inside the vehicle.

An analysis of the fingerprints recovered from the crime scene inside the residence revealed the victim's fingerprints on multiple items, in different areas inside his residence. The analysis also revealed **Cunningham's** fingerprints in blood, on different items, in different areas of the residence.

A friend of the victim's was contacted who advised he was supposed to go out with the victim on Saturday night 09-24-2016 but the victim never called him when it was time to go out. The friend stated he during his last conversation with the victim he described picking up a prostitute the previous week and paying her for sex.

A witness was contacted who stated he and a friend of his went out with the victim on 09-24-2016. The witness stated the victim picked them up at his apartment and drove them to a club on Truman Rd called "El Molino" (5510 Truman Rd). The witness stated while they were at the club, the victim went outside the club a few times while he and his friend were inside drinking. The witness stated the last time the victim came back inside the club from being outside he told them it was time to go. The witness stated when he went outside, the

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victim was already in the car and when he went to get inside the front passenger seat there was a female already in the seat, so he sat in the back with his friend.

The witness stated the victim told him in Spanish the female in the car was a prostitute. The witness stated the victim told them he was going to go back to his house and share the female with them. The witness and his friend stated they told the victim they did not want to go back to his house and had the victim drop them off at the witness' apartment. The witness stated the victim dropped them off at approximately 0230 hours on 09-25-2016 and left with the female in his vehicle.

The witness described the female in the car with the victim as a black female around 30 years old wearing blue jeans and a rose colored hooded sweatshirt. He stated the female had the hood up on the sweatshirt the entire time she was in the car and did not speak when he was in the car.

While conducting residence checks looking for **Cunningham** it was learned **Cunningham** also uses the last name McCon and listed 1605 Hardesty Av as her address on 03-06-2017. 1605 Hardesty Av is one block south and one block west from "El Molino" 5510 Truman Rd.

Cunningham was arrested on 12-20-2017 at 5218 E. 12th St #3, Kansas City, MO. After waiving her rights **Cunningham** was shown a picture of the victim and the victim's residence. She first denied knowing the victim or being inside the victim's residence. **Cunningham** changed her story and stated the victim picked her up before the homicide at a BP station. **Cunningham** stated they picked up two of the victim's friends at a bar, drove them to Kansas, and dropped them off. **Cunningham** stated she and the victim agreed to go back to his house and he would pay her \$50 to have sex. **Cunningham** stated prior to arriving at the victim's house he made her hide in the vehicle so she would not be seen by the neighbors. **Cunningham** stated after she and the victim had sex inside his house he did not pay her when she wanted him to. **Cunningham** stated after the victim kept making excuses for not paying her, she told him she just wanted to leave. **Cunningham** stated the victim refused to let her leave which led to the two of them fighting. **Cunningham** stated during the fight the victim had a knife and she took it from him. **Cunningham** stated she stabbed the victim around 10 times. **Cunningham** stated she was eventually able to exit the residence through the rear door and stated the victim was "talking shit" to her as she was leaving. **Cunningham** stated she walked home after the incident. **Cunningham** stated approximately a week after the incident, the injuries she sustained on her hands caused her to be hospitalized at Cass Regional Medical Center for approximately one week. **Cunningham** stated she had open hand surgery on her left hand. **Cunningham** also described receiving multiple cuts to her hands during the fight with the victim.

Cunningham's hands were examined and photographed with the scarring observed appearing inconsistent with the description of the injuries she sustained during the incident or surgery afterwards.

The report from the Jackson County Medical Examiner's Office lists the victim's cause of death as multiple sharp force injuries and the manner of death as homicide. In the "Pathologic Diagnosis" of the report multiple incised wounds of the hands, which may be consistent with defensive injuries is listed. In the "Sharp Force Injury" section of the report, at least 60 incised or stab wounds are listed to the victim's body ranging from the head to the feet.

Printed Name Detective Scott Mullen #5431 Signature /s/Det. Scott Mullen #5431

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

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Judge

Circuit Court of _____ County, State of Missouri.