

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

POLICE NO. :	18-000337
PROSECUTOR NO. :	095443267

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
TRISTON D WITHERS	)	
2614 NW London Dr.,	)	CASE NO. 1816-CR
Blue Springs, MO - 64015	)	DIVISION
DOB: 07/31/1998	)	
Race/Sex: B/M;	)	
SSN: XXX-XX-XXXX	)	
DEFENDANT.	)	

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840911.0)

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 January 12, 2018, in the County of Jackson, State of Missouri, Jack Price was killed by being shot as a result of the attempted perpetration of the class B felony of Robbery in the First Degree under Section 570.023, RSMo committed by the defendant on or about January 12, 2018, in the County of Jackson, State of Missouri.

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 January 12, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in

State vs. Triston D Withers

Count 1, 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.

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.

Count III. Attempted Robbery - 1st Degree (570.023-001Y20171208.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.023, RSMo, committed the **class B felony of attempted robbery in the first degree**, punishable upon conviction under Section 562.012 and 558.011, RSMo, in that on or about January 12, 2018, in the County of Jackson, State of Missouri, the defendant acting alone or in concert with others attempted to take US currency from Jack Price while armed with a deadly weapon, and such conduct was a substantial step toward the commission of the offense of robbery in the first degree, and was done for the purpose of committing such robbery.

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 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 January 12, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of attempted robbery in the first degree charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of attempted robbery 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.

State vs. Triston D Withers

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:

DET Kelly Caster , 1100 SW Smith, Blue Springs, MO - 64015
Jack T Price , 1208 SW Sunset Ave, Blue Springs, MO - 64015

STATEMENT OF PROBABLE CAUSE

CRN 2018-00337

Date: January 14, 2018

I, Detective Kelly Caster, a detective with the Blue Springs, Missouri Police Department, upon my oath, and under penalties of perjury, state as follows:

1.) I have probable cause to believe that on January 12, 2018, at 170 NW Vesper St in Blue Springs, Jackson County, Missouri, MR. TRISTON D. WITHERS, B/M, DOB 07-30-1998, SSN [REDACTED], residing at 25210 E. 30TH ST S. BLUE SPRINGS, MO, committed one or more criminal offense(s).

2.) The facts supporting this belief are as follows:

On 01-12-2018 Blue Springs Police Officers were dispatched to 170 NW Vesper St in Blue Springs, Jackson County Missouri in regards to a male subject that had been shot. When officers arrived they found a white male, identified as **Price, Jack T. 04-30-1999** on the kitchen floor. Mr. Price was unresponsive at first but then was able to tell them that his back and arm hurt. Mr. Price was transported to Centerpoint Hospital and was pronounced dead at about 2230 hours. Three subjects were inside the residence at the time and were identified as [REDACTED] W/M 04-16-1998 and [REDACTED] W/F 05-25-1998 who live at 170 NW Vesper and a friend of [REDACTED]s, identified as [REDACTED]. W/F 07-16-1998. All three were transported to police headquarters for questioning. Through questioning, we learned that Mr. [REDACTED] had communicated through snapchat with a subject identified as [REDACTED]. W/M 08-01-1999 that [REDACTED]r was coming over to buy some "wax." Mr. [REDACTED] heard someone at the door and thought it was Mr. [REDACTED] and opened the door. Two males with black ski masks came in and pushed Mr. [REDACTED]r down, demanded to know "where the shit was" and pointed a gun to Mr. [REDACTED]'s head. Mr. [REDACTED] said he yelled to Mr. Price to get his gun and then Mr. Price was shot by one of the two masked subjects. Mr. [REDACTED] stated one of the subjects had blonde hair hanging out of the mask and that he recognized that subjects hair, eyes and voice as being **Withers, Triston D. B/M 07-31-1998**. Mr. [REDACTED] stated the other subject was also a black male. By looking through prior reports we learned that a subject identified as [REDACTED] [REDACTED] 1[REDACTED] also ran with Mr. [REDACTED]n and actually purchased Mr. [REDACTED]'s Silver Nissan Altima.

I met a subject police headquarters that wished to remain anonymous at this time until Mr. Withers is in custody due to being scared. The subject is friends with Mr. Withers and about a week ago the subject was approached by Mr. Withers and Mr. [REDACTED] about being a driver for them during a drug robbery on Vesper Street. The subject said that Mr. Withers only talked about the robbery being on Vesper and involving a guy named "[REDACTED]". Mr. Withers had gone to [REDACTED]'s residence to possibly scope out where [REDACTED] kept his drugs and they were going to go back and rob him that day the subject was approached. The subject said they were changing clothes and getting masks and were going back that day but [REDACTED] didn't answer so they didn't go back that day. The subject said then on 01-12-2018 the subject received a snapchat asking what the subject was doing and said that the "dude is ready." The subject replied that they were at work. The subject said the next morning the subject saw the news and knew what had happened. The subject sent a snapchat message to Mr. Withers asked if he was "cool." Mr. Withers replied back around 6:30pm "look up kmhc 41 actions news." The subject replied "that's why I messaged you", Mr. Withers replied "abt a 18 yr old last night", subject replied "I know dude as soon as I heard it I know" then Mr. Withers replied "turning myself in tmrw he upped a gun on me and it was a wrap." The subject stated that they were able to grab another phone and take a picture of that conversation before it was deleted from snapchat. The subject said Mr. Withers deleted the other stuff where he talks about dropping \$30,000 on an attorney. The subject gave a lot of other information about drug activity and who all was or could have been involved.

During the search of the crime scene, there were two shell casings and a cell phone located on the back deck where the suspects exited. I opened the phone to find out who the phone belong to but it had a passcode. I used the emergency button to call 9-1-1 and learned that the phone number was 816-516-0799. We entered that number in to facebook and it showed that that phone number came back to Mr. Triston Withers.

I am requesting a warrant for Mr. Withers in connection with the death of Mr. Price.

Detective Kelly Caster #1434
Blue Springs, Missouri Police Department

/s/ Kelly Caster
Signature

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POLICE NO. :	18-000337
PROSECUTOR NO. :	095443279

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
DAQUAN M TOLEFREE	)	
25210E. 30th St.,	)	CASE NO. 1816-CR
Blue Springs, MO - 64015	)	DIVISION
DOB: 10/22/1997	)	
Race/Sex: B/M;	)	
SSN: XXX-XX-████	)	
DEFENDANT.	)	

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State vs. Daquan M Tolefree

Count 1, 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.

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.

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The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.023, RSMo, committed the **class B felony of attempted robbery in the first degree**, punishable upon conviction under Section 562.012 and 558.011, RSMo, in that on or about January 12, 2018, in the County of Jackson, State of Missouri, the defendant acting alone or in concert with others attempted to take US currency from Jack Price while armed with a deadly weapon, and such conduct was a substantial step toward the commission of the offense of robbery in the first degree, and was done for the purpose of committing such robbery.

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 five(5) years and not to exceed fifteen (15) years

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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 January 12, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of attempted robbery in the first degree charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of attempted robbery 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.

State vs. Daquan M Tolefree

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:

DET Kelly Caster , 1100 SW Smith, Blue Springs, MO - 64015

STATEMENT OF PROBABLE CAUSE

CRN 2018-00337

Date: January 14, 2018

I, Detective Kelly Caster, a detective with the Blue Springs, Missouri Police Department, upon my oath, and under penalties of perjury, state as follows:

1.) I have probable cause to believe that on January 12, 2018, at 170 NW Vesper St in Blue Springs, Jackson County, Missouri, MR. DAQUAN M. TOLEFREE, B/M, DOB 10-22-1997, SSN [REDACTED], residing at 25210 E. 30TH ST S. BLUE SPRINGS, MO, committed one or more criminal offense(s).

2.) The facts supporting this belief are as follows:

On 01-12-2018 Blue Springs Police Officers were dispatched to 170 NW Vesper St in Blue Springs, Jackson County Missouri in regards to a male subject that had been shot. When officers arrived they found a white male, identified as **Price, Jack T. 04-30-1999** on the kitchen floor. Mr. Price was unresponsive at first but then was able to tell them that his back and arm hurt. Mr. Price was transported to Centerpoint Hospital and was pronounced dead at about 2230 hours. Three subjects were inside the residence at the time and were identified as [REDACTED] and [REDACTED] **05-25-1998** who live at 170 NW Vesper and a friend of [REDACTED], identified as [REDACTED]. All three were transported to police headquarters for questioning. Through questioning, we learned that Mr. [REDACTED] had communicated through snapchat with a subject identified as [REDACTED] **W. W/M 08-01-1999** that [REDACTED] was coming over to buy some "wax." Mr. [REDACTED] heard someone at the door and thought it was Mr. [REDACTED] and opened the door. Two males with black ski masks came in and pushed Mr. [REDACTED] down, demanded to know "where the shit was" and pointed a gun to Mr. [REDACTED]'s head. Mr. [REDACTED] said he yelled to Mr. Price to get his gun and then Mr. Price was shot by one of the two masked subjects. Mr. [REDACTED] stated one of the subjects had blonde hair hanging out of the mask and that he recognized that subjects hair, eyes and voice as being **Withers, Triston D. B/M 07-31-1998**. Mr. [REDACTED] stated the other subject was also a black male. By looking through prior reports we learned that a subject identified as **Tolefree, Daquan M. B/M 10-22-1997** also ran with Mr. [REDACTED] and actually purchased [REDACTED] Silver Nissan Altima.

I met a subject police headquarters that wished to remain anonymous at this time until Mr. Withers is in custody due to being scared. The subject is friends with Mr. Withers and about a week ago the subject was approached by Mr. Withers and Mr. Tolefree about being a driver for them during a drug robbery on Vesper Street. The subject said that Mr. Withers only talked about the robbery being on Vesper and involving a guy named "[REDACTED]" Mr. Withers had gone to [REDACTED]'s residence to possibly scope out where [REDACTED] kept his drugs and they were going to go back and rob him that day the subject was approached. The subject said they were changing clothes and getting masks and were going back that day but [REDACTED] didn't answer so they didn't go back that day. The subject said then on 01-12-2018 the subject received a snapchat asking what the subject was doing and said that the "dude is ready." The subject replied that they were at work. The subject said the next morning the subject saw the news and knew what had happened. The subject sent a snapchat message to Mr. Withers asked if he was "cool." Mr. Withers replied back around 6:30pm "look up kmhc 41 actions news." The subject replied "that's why I messaged you", Mr. Withers replied "abt a 18 yr old last night", subject replied "I know dude as soon as I heard it I know" then Mr. Withers replied "turning myself in tmrw he upped a gun on me and it was a wrap." The subject stated that they were able to grab another phone and take a picture of that conversation before it was deleted from snapchat. The subject said Mr. Withers deleted the other stuff where he talks about dropping \$30,000 on an attorney. The subject gave a lot of other information about drug activity and who all was or could have been involved.

During the search of the crime scene, there were two shell casings and a cell phone located on the back deck where the suspects exited. I opened the phone to find out who the phone belong to but it had a passcode. I used the emergency button to call 9-1-1 and learned that the phone number was 816-516-0799. We entered that number in to facebook and it showed that that phone number came back to Mr. Triston Withers.

On 01-15-2018 I was contacted by an attorney who stated he wanted to surrender Mr. Withers along with a gun. When the attorney arrived at 6:30pm and with Mr. Withers was Mr. DaQuan Tolefree. I escorted all three to the interview room and the attorney advised that he was representing Mr. Withers but not Mr. Tolefree. Sgt. Mike Russell took Mr. Tolefree into a separate interview room to speak with him. Sgt. Mike Russell read Mr. Tolefree his Miranda rights which Mr. Tolefree signed agreeing to speak to Sgt. Russell. Mr. Tolefree was very brief in his statement and was only willing to say that he and his boy, Triston went to Triston's friend's house. Mr. Tolefree said that Triston went to the door and they shook hands. Mr. Tolefree said he was behind Triston and he saw Triston pull his gun out like he was being intimidated. Mr. Tolefree said as that was going on they was shooting and he saw the guy standing in front of his girlfriend and Mr. Tolefree went in and tackled that guy on top of his girlfriend. Mr. Tolefree said then Triston grabbed him and they ran out. Mr. Tolefree wouldn't say anything else and wanted to go to his cell.

Detective Kelly Caster #1434
Blue Springs, Missouri Police Department

/s/ Kelly Caster
Signature