

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

POLICE NO. :	17-096033
PROSECUTOR NO. :	095443756

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
PRESTON E. MOORE	)	
10412 Smalley Court,	)	CASE NO. 1816-CR
Kansas City, MO - 64134	)	DIVISION
DOB: 10/29/1988	)	
Race/Sex: B/M;	)	
	)	
DEFENDANT.	)	

COMPLAINT

**Count I. Murder 2nd Degree - Felony Murder - During Perpetration/attempted
Perpetration/flight From Perpetration Of A Felony, A Person Dies (565.021-
003Y19840999.0)**

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 November 11, 2017, in the County of Jackson, State of Missouri, Laura E. Humphrey was killed in a car crash as a result of the perpetration of the Class E Felony of Driving While License was Suspended under Section 302.321, RSMo, committed by the defendant on or about November 11, 2017, 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. Murder 2nd Degree - Felony Murder - During Perpetration/attempted
Perpetration/flight From Perpetration Of A Felony, A Person Dies (565.021-
003Y19840999.0)**

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 November 11,

State vs. Preston E. Moore

2017, in the County of Jackson, State of Missouri, Ryan C. Humphrey was killed in a car crash as a result of the perpetration of the Class E Felony of Driving While License was Suspended under Section 302.321, RSMo, committed by the defendant on or about November 11, 2017, 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 III. Dwi - Death Of Non-Passenger (577.010-021Y20175404.0)

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 and 577.010, RSMo, in that on or about November 11, 2017, at or near 49 Highway and 435 Highway, Kansas City, 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 improper lane usage and as a result caused death to Laura E. Humphrey, who was not a passenger in the vehicle operated by the defendant.

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. Dwi - Death Of Non-Passenger (577.010-021Y20175404.0)

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 and 577.010, RSMo, in that on or about November 11, 2017, at or near 49 Highway and 435 Highway, Kansas City, 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 improper lane usage, and as a result caused death to Ryan C. Humphrey, who was not a passenger in the vehicle operated by the defendant.

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 V. Driving While Revoked/suspended (302.321-005Y20175405.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 302.321, RSMo, committed the **Class E Felony of Driving While License was Suspended**, punishable upon

State vs. Preston E. Moore

conviction under Sections 302.321, 558.002 and 558.011, RSMo, in that on or about November 11, 2017, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle on a highway, 49 Highway and 435 Highway, during a time when defendant's operator's license was suspended under the laws of this state, and acted with criminal negligence with respect to knowledge of the fact that defendant's operator's license was suspended, and

On or about April 1, 2011, defendant was convicted of driving while suspended in the Circuit Court of Johnson County, Missouri, in Case No. 09JO-CR00022, for events that occurred on December 7, 2008, and the defendant was represented by counsel, and

On or about December 9, 2008, defendant was convicted of driving while suspended in the Circuit Court of Platte County, Missouri, in Case No. 08AE-CR00827, for events that occurred on February 23, 2008, and the defendant was represented by counsel, and

On or about July 1, 2015, defendant was convicted of driving while suspended in the Circuit Court of Saline County, Missouri, in Case No. 14SA-CR00236, for events that occurred on April 26, 2014, and the defendant was represented by counsel.

The range of 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.

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)
Assistant Prosecuting Attorney
415 E. 12th St., 11th Fl
Kansas City, MO - 64106
(816) 881-4312

State vs. Preston E. Moore

lwhiston2@jacksongov.org

WITNESSES:

Alvin J. Brown , Prosecuting Atty. Office, Kansas City, MO - 64106

Gerald I. Brown , Prosecuting Atty. Office, Kansas City, MO - 64106

DET Gary L. Burgess , , , -

DET Christopher G. Hayes , 1125 Locust, Kansas City, MO - 64106

PO Zachary W. Jenkins , 1125 Locust, Kansas City, MO - 64106

PO Aaron M. Kohrs , 1125 Locust, Kansas City, MO - 64106

PO Nathan I. Magers , 1125 Locust, Kansas City, MO - 64106

Laurie R. Sanders , Prosecuting Atty. Office, Kansas City, MO - 64106

PO Michael S. Vulje , 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 12/14/2017

CRN: 17-096033

Det. Chris Hayes #5124

(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 11/11/2017, at US 71/49 Hwy and 435 Hwy in

Kansas City, Jackson Missouri, Preston E. Moore B/M, 10/29/1988
(County) (Name of Offender(s)) (Description of Identity)

Committed one or more criminal offense(s).

Fatality / DWI / DWS / Careless Driving

The facts supporting this belief are as follows:

On 11/11/2017 at approximately 0217 hours, Kansas City, Missouri Police Officers responded to a fatality crash at US 435 Hwy and 71/49 Hwy, Kansas City, Jackson County, Missouri. It was determined that a blue Chevy Impala, bearing Illinois license plate AM50053, was traveling southbound while occupying the northbound lanes of travel on 71 Hwy and collided with a northbound traveling red Jeep Patriot, bearing Missouri license plate UK5-F4L. The two occupants of the red Jeep Patriot, Ryan and Laura Humphrey, sustained life threatening injuries and died on scene as a result of the crash. The driver and sole occupant of the blue Chevy Impala, **Preston E. Moore (B/M, 10/29/1988)**, sustained serious injuries and was transported to Research Medical Center for emergency medical treatment. During the initial scene investigation, an open liquor bottle was observed in the front, passenger floorboard of the Chevy Impala.

According to witness statements, the Chevy was observed traveling southbound in the northbound lanes of 71 Hwy., at speeds in excess of 100 miles per hour, near the area of 87th Street just prior to the collision. The Chevy was also observed swerving back and forth and at one point, appeared to strike the center median dividing wall. Witnesses Alvin and Gerald Brown stated they were nearly struck by the Chevy and had to make an evasive lane change to avoid a collision. Upon the Chevy passing their vehicle, they called 911 to report the vehicle's actions and turned around at 75th Street to proceed south on 71 Hwy in an attempt to keep a visual on the Chevy. As they approached the area south of Bannister Rd., they discovered that the same Chevy had just collided with a red vehicle in the northbound lanes. Alvin and Gerald Brown then stopped and ran to the vehicles to offer their assistance. Upon their arrival, they said that it appeared the two occupants of the red Jeep were already deceased at which time they assisted with Mr. Moore, who was seated in the driver's seat of the Chevy. While attempting to remove Mr. Moore from his vehicle, which had been on fire at the time, Gerald Brown stated he heard the defendant stating something to the effect of "Don't let me die". While in contact with Mr. Moore, Gerald Brown informed investigators that he was able to smell the odor of an alcoholic beverage on the driver's breath.

A search warrant was obtained for the blue Chevy Impala for the purpose of collecting imaging data from the airbag control module (ACM). The information contained within the ACM is designed to capture and store specific information regarding the vehicle's operation at and just prior to a collision event. Upon serving the search warrant, the described information was obtained and revealed the Chevy Impala to have been traveling at 84 miles per hour in the seconds leading up to the collision with no recorded braking. The posted speed limit for this particular section of highway where the collision occurred is 65 miles per hour. A subpoena was completed for the purpose of obtaining Mr. Moore's medical records, including a toxicology report, to determine the extent of his injuries and impairment level. Upon return of the toxicology report, it showed a positive test for Ethanol with a BAC of .214. Due to Mr. Moore's serious and life threatening injuries, a statement was unable to be obtained.

PROBABLE CAUSE STATEMENT FORM

CRN 17-096033

A computer check through Missouri Department of Revenue revealed Mr. Moore to have a suspended driver's license with 3 prior convictions as well as 1 prior alcohol related conviction.

On or about 04/01/2011, the defendant was convicted of DWS, in the Circuit Court of Johnson County, Missouri, in case # 09JO-CR00022, for events that occurred on 12/07/2008.

On or about 12/09/2008, the defendant was convicted of DWS, in the Circuit Court of Platte County, Missouri, in case # 08AE-CR00827, for events that occurred on 02/23/2008.

On or about 07/01/2015, the defendant was convicted of DWS, in the Circuit Court of Saline County, Missouri, in case # 14SA-CR00236, for events that occurred on 04/26/2014.

On or about 05/02/2014, the defendant was convicted of DWI, in the Circuit Court of Johnson County, Missouri, in case # 13JO-CR00910, for events that occurred on 04/26/2014.

Printed Name Det. Chris Hayes #5124

Signature



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

Judge

Circuit Court of _____ County, State of Missouri.