

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

POLICE NO. :	18-005350
PROSECUTOR NO. :	095446490
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
MARCUS T. FRANKLIN)	
6942 Spruce)	CASE NO. 1816-CR
Kansas City, MO 64132)	DIVISION
DOB: 03/15/1990)	
Race/Sex: B/M)	
[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 January 22, 2018, in the County of Jackson, State of Missouri, the defendant with the purpose of causing serious physical injury to Matthew C. Sutte caused the death of Matthew C. Sutte 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 January 22, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree as charged in Count I, all allegations of which are incorporated herein by reference, and the defendant

State vs. Marcus T. Franklin

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. 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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/from Motor Vehicle, At Person, Motor Vehicle Or Building, Resulting In Death Or Injury (571.030-015Y20145299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **class A Felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about January 22, 2018, at 6904 Kensington, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm at a motor vehicle occupied by Matthew Suttee, and as a result of the above described conduct, Matthew Suttee suffered injury or death.

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.

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/ P. Benjamin Cox
P. Benjamin Cox (#60757)
Assistant Prosecuting Attorney
415 E. 12th St., Fl 7M
Kansas City, MO 64106
(816) 881-3975
BCox@jacksongov.org

State vs. Marcus T. Franklin

WITNESSES:

1. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
2. [REDACTED]
64106
3. DET Jason C. Findley, 1125 Locust, Kansas City, MO 64106
4. [REDACTED]
64106
5. DET Heather D. Leslie, 1125 Locust, Kansas City, MO 64106
6. [REDACTED]
64106
7. SGT Adam M. Painter, 1125 Locust, Kansas City, MO 64106
8. DET James H. Price, 1125 Locust, Kansas City, MO 64106
9. Matthew C. Suttee, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO
64106
10. DET Timothy R. Taylor, 1125 Locust, Kansas City, MO 64106
11. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 07-05-2018

CRN: 18-005350

I, Det. Ryan Taylor #5585, Kansas City, Missouri Police Department Homicide Unit
(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 01-22-2018, at 69th and Kensington Avenue in
(Date) (Address)

Kansas City, Jackson Missouri Marcus Franklin
(County) (Name of Offender(s))

B/M 03-15-1990, [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

Murder, Aggravated Assault, Armed Criminal Action,

The facts supporting this belief are as follows:

On 01-22-2018, Officers of the Kansas City, Missouri Police Department were dispatched to Gregory and Indiana, Jackson County, Kansas City, Missouri, on a reported shooting. Upon arrival the victim was found deceased in his vehicle. Members of the Homicide Unit 990 Squad were summoned to investigate.

The Jackson County Medical Examiner's Office determined the cause of the victim's death was multiple gunshot wounds and the manner of death was homicide.

Detectives contacted Victim #2 who will be referred to as [REDACTED] who was the passenger in the victim's car during the shooting. [REDACTED] stated that he was at work on the day of the homicide and the victim called him asking to borrow \$60 to pay "Marcus" back for drugs. [REDACTED] stated that "Marcus" is the victim's only drug dealer (in Kansas City, Missouri) and has been for some time. [REDACTED] stated that he has never seen "Marcus" before the day of the homicide, due to the fact that "Marcus" never got out of his vehicle. [REDACTED] stated that the victim picked him up at 1320 hours and they drove to the same area they always drive to when meeting "Marcus". The victim and "Marcus" talked on the phone with one another, while they were driving to meet "Marcus."

[REDACTED] stated that he and the victim arrived at the usual location (6900 block of Kensington) and waited approximately 5 minutes for "Marcus". The victim parked on the west side of the street. The victim exited his vehicle and stood on the driver's side of "Marcus" vehicle. The victim suddenly turned around and walked back to his own vehicle.

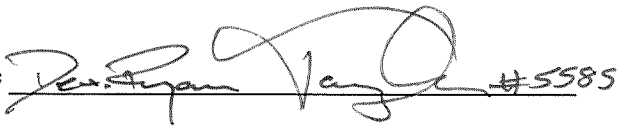
[REDACTED] stated at this time the victim is driving away southbound on Kensington, as "Marcus" shoots at least 5 times at them. [REDACTED] stated he ducked down as they drove away. The victim told [REDACTED] he had been shot before being unable to respond to [REDACTED]

A stop order for Marcus Franklin was issued. On 07-05-2018, at 0220 hours, Franklin was arrested by the Jackson County Sheriff's Department, and was transported to the Jackson County Jail.

PROBABLE CAUSE STATEMENT FORM

CRN 18-005350

Detective contacted Franklin and advised him of his Miranda Warning and Waiver. Franklin agreed to speak with detectives. Franklin stated on the day of the homicide he set up a time to meet the victim at "the spot." Franklin stated the victim owed him \$200 for a prior drug transaction. Franklin stated that he met with victim at 69th and Kensington, at which point the victim walked to his car and gave him "fake money". The victim quickly ran back to his vehicle. Franklin realized the money was fake and got out of his car, aimed a hand gun at the victim's car and fired several times.

Printed Name Det. Ryan Taylor, #5585 Signature  #5585

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

Judge

Circuit Court of _____ County, State of Missouri.