


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

<b>POLICE NO. :</b>	18-004120
<b>PROSECUTOR NO. :</b>	095445497
<b>OCN :</b>	CA011177

<b>STATE OF MISSOURI,</b>	)	
	<b>PLAINTIFF,</b>	)
<b>vs.</b>	)	
	)	
<b>NICHOLAS M. WEBB</b>	)	
<b>326 N. Taylor St., Apt 4</b>	)	<b>CASE NO. 1816-CR02172</b>
<b>Pleasant Hill, MO – 64080</b>	)	
<b>DOB: 12/29/1959</b>	)	
<b>Race/Sex: W/M</b>	)	
	)	
	<b>DEFENDANT.</b>	)

**INDICTMENT**

**In the Circuit Court of Jackson County, Missouri, at Kansas City, March Term, 2018.  
In Division Number 18 thereof, designated by the rules of said Court as Criminal Division A.**

**Count I. Murder 2<sup>nd</sup> Degree (565.021-001Y19840904.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 May 5, 2018, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Cody M. Harter caused the death of Cody M. Harter by stabbing him.

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. An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

**Count II. Armed Criminal Action (571.015-001Y19755299.0)**

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 May 5, 2018, 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.

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.

Wherefore this Indictment supersedes any Complaint, Information, or Indictment previously filed in the Associate Circuit Court.

**TRUE BILL**

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**FOREPERSON**

**JEAN PETERS BAKER  
PROSECUTING ATTORNEY  
FOR THE COUNTY OF JACKSON,  
STATE OF MISSOURI, by**

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Received this \_\_\_\_ day of \_\_\_\_\_, 2018.

**WARRANT TO ISSUE.** BAIL SET AT \$ \_\_\_\_\_.

**SUMMONS TO ISSUE.** BOND TO REMAIN AS PREVIOUSLY SET. SPECIAL CONDITIONS SHALL REMAIN IN EFFECT.

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**CIRCUIT COURT JUDGE**

**WITNESSES:**

1. DET Chad Albin, 10 NE Tudor, Lee's Summit, MO 64086
2. DET Erika Albin, 10 NE Tudor, Lees Summit, MO 64086
3. PO Bradley Anders, 10 NE Tudor, Lee's Summit, MO 64086

4. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

8. PO James Brock, 10 NE Tudor, Lee's Summit, MO 64086
9. PO Chrisha Buford, 10 NE Tudor, Lee's Summit, MO 64086

10. [REDACTED]

11. PO Sam Cole, 10 NE Tudor, Lee's Summit, MO 64086

12. [REDACTED]

[REDACTED]

14. DET Kevin Dibben, 10 NE Tudor, Lee's Summit, MO 64086
15. DET Stephen Doogs, 10 NE Tudor, Lee's Summit, MO 64086
16. PO Beth Glover, 10 NE Tudor, Lee's Summit, MO 64086
17. CPT Jim Green, 10 NE Tudor, Lee's Summit, MO 64086
18. DET Rick Griggs, 10 NE Tudor, Lee's Summit, MO 64086
19. PO Stephen Grubb, 10 NE Tudor, Lee's Summit, MO 64086

20. [REDACTED]

[REDACTED]

- [REDACTED] Eric Hennig, 10 NE Tudor, Lee's Summit, MO 64086

23. [REDACTED]

[REDACTED]

25. DET Aaron Ide, 10 NE Tudor, Lee's Summit, MO 64086

26. [REDACTED]

27. SGT John King, 10 NE Tudor Road, Lees Summit, MO 64086

28. [REDACTED]

29. DET John Kudzinski, 10 NE Tudor, Lee's Summit, MO 64086

30. [REDACTED]

31. PO Michael McClure, 10 NE Tudor, Lee's Summit, MO 64086

32. [REDACTED]

[REDACTED]

34. PO Erica Osborn, 10 NE Tudor, Lee's Summit, MO 64086

35. PO Stephen Owings, 10 NE Tudor, Lee's Summit, MO 64086

36. [REDACTED]

37. SGT Josh Patterson, 10 NE Tudor, Lee's Summit, MO 64086

38. [REDACTED]

[REDACTED]

40. DET Michael Reese, 10 NE Tudor, Lee's Summit, MO 64086

41. SGT Dave Schumaker, 10 NE Tudor Rd, Lees Summit, MO 64086

42. PO Jeff Short, 10 NE Tudor, Lee's Summit, MO 64086

43. PO David Smith, 10 NE Tudor, Lee's Summit, MO 64086

44. [REDACTED]

45. PO Phillip Stewart, 10 NE Tudor, Lee's Summit, MO 64086

46. [REDACTED]

47. PO James Treacy, 10 NE Tudor, Lee's Summit, MO 64086

48. DET Lee Turner, 10 NE Tudor, Lee's Summit, MO 64086

49. CIV Veronica Waller, 10 NE Tudor, Lee's Summit, MO 64086

50. [REDACTED]

[REDACTED]

[REDACTED]

# STATEMENT OF PROBABLE CAUSE

LSPD Complaint: 18-004120

Date: May 10, 2018

I, Detective Michael Reese, an investigator with the Lee's Summit, Missouri Department of Police, upon my oath, and under penalties of perjury, state as follows:

1. I have probable cause to believe that on 05/05/2018, on north bound Northeast Missouri 291 Highway at Interstate 470, Lee's Summit, Jackson County Missouri, Nicholas M. Webb, W/M, 12/29/1959 [REDACTED] committed one or more criminal offenses.
2. The facts supporting this belief are as follows:

On 5 May 2018, at approximately 7:28 PM, Lee's Summit Police Department Officer M. McClure was dispatched to a motor vehicle crash in the area of Northeast Colbern Road where Interstate 470 and northbound Missouri Highway 291 merge together. As he was responding to the call for service, the Lee's Summit Police Department Communications Unit advised they had received multiple telephone calls about a male that was lying on the ground and bleeding in the area of the motor vehicle crash.

Officer M. McClure arrived on scene and observed a white male, later identified as the victim, Cody M. Harter, lying face down near his vehicle. Officer M. McClure observed a large wound on the left side of the victim's chest and a large pool of blood around the victim's body as well as blood covering his body. The Lee's Summit Fire Department arrived on scene and determined the victim was deceased. The victim's Missouri Driver License and his Military Identification were found on his person confirming his identity to be Cody M. Harter.

There was one vehicle still on scene, a maroon colored pickup truck, with a Missouri Vehicle License plate of "0EC-222". A check with the Missouri Department of Revenue confirmed that the Missouri vehicle license plate was registered to the pickup truck with both the license plate and the vehicle being registered to the victim, Cody M. Harter.

On 5 May 2018 Lee's Summit Police Department Detective M. Reese interviewed a witness who was traveling northbound on Missouri Highway 291 and eventually merged onto Interstate 470 on his way to Independence, Missouri. He observed the victim's pickup truck stopped in a lane of traffic blocking the roadway. He also observed the suspect's vehicle stopped in the same lane of traffic and parked near the victim's vehicle. The witness observed a male, determined to be the suspect, exit the suspect's vehicle and approach the victim's vehicle. The suspect "swung" at the victim and missed with his right fist. He observed the victim put both of his hands up in the air as he was retreating backwards. As the witness traveled past the victim and suspect, he could see both of them move next to their vehicles and onto the shoulder of the roadway. The witness observed the suspect to be a white male with very short hair and wearing a black shirt with blue jeans. After the witness traveled past the vehicles, he pulled over off to the side of Interstate 470 and called 911. As he was calling 911, he observed a small gray vehicle drive past him at a high rate of speed. The witness observed the first two characters of the vehicle's license plate to be "PR." This incident occurred in Lee's Summit, Jackson County, MO.

On 6 May 2018, Lee's Summit Police Department Detective Ide was present for the autopsy of the victim at the Jackson County Medical Examiner Office located in Kansas City, Missouri. The Medical Examiner located a wound in the victim's chest that was approximately one and three-eighths (1 3/8) inches wide and approximately four (4) inches deep. The Medical Examiner believed that the wound was created by a "single edged knife." The cause of death was determined to be an injury to the victim's heart due to a stab wound of the victim's chest. The manner of death was determined to be "homicide".

While at the crime scene, Lee's Summit Police Department Detectives discovered a sandwich, and related packaging inside the victim's vehicle. The victim was seen on video surveillance in Pleasant Hill, Case County, Missouri purchasing the sandwich at the Temp-Stop located at 2017 North Missouri 7 Highway, Pleasant Hill, Cass County, Missouri 64080

From 6 May 2018 until 9 May 2018, Detectives with the Lee's Summit Police Department contacted area business owners and recovered available video surveillance that shows traffic passing their businesses and property. The victim's vehicle, a red colored pick-up truck, and the suspect's vehicle, a gray colored four door sedan can be seen on video surveillance traveling northbound on Missouri 291 Highway at various locations and times. All of the following times occurred on 5 May 2018, and all of the following locations were located in Lee's Summit, Jackson County, Missouri:

1. 07:17 PM QuikTrip, 801 Southeast Missouri 291 Highway.
2. 07:18 PM Missouri State Highway Patrol, 504 Southeast Blue Parkway.
3. 07:19 PM Lee's Summit Senior High School, 400 Southeast Blue Parkway.
4. 07:19 PM Phillips 66, 300 Southeast Missouri 291 Highway.
5. 07:20 PM Minsky's Pizza, 1251 Northeast Rice Road.
6. 07:24 PM QuikTrip, 1450 Northeast Missouri 291 Highway.
7. 07:24 PM Moon Tees, 1703 Northeast Rice Road.
8. 07:24 PM Summit Self Storage, 1920 Northeast Rice Road.

From 5 May 2018 until 9 May 2018, the Lee's Summit Police Department Criminal Investigations Unit conducted multiple witness interviews directly related to this investigation. The following summarize some of the additional witness interviews:

1. 6 May 2018. A witness observed a white male, approximately 45 years old, bald, with a thick gray beard slowly walking away from the victim's vehicle and enter an older four (4) door gray sedan that was parked near the victim's vehicle. The suspect's vehicle then headed northbound on Missouri 291 Highway.

2. 7 May 2018. The witness recalled seeing the victim's vehicle and the suspect's vehicle with the victim standing near the "truck" with both his hands-up in the air and a male that was shorter than the victim "getting ready to throw a punch."

3. 5 May 2018. The witness reported the suspect to be in his fifties or sixties, but "in good shape for his age." She described him as a "biker type" with either bald or very short, but receding, hair. He was reported to have a "prominent" gray goatee. The suspect was wearing work boots, a dark "t-shirt" and jeans.

4. 8 May 2018. A witness stated the suspect was fifty to sixty-five years old, with a "scruffy gray beard."

5. 8 May 2018. A witness stated the victim was standing with his back toward his vehicle. She observed the suspect "shove" the victim with both hands. After passing the suspect and victim, she observed that the victim had his hands-up in the air and was backing away from the suspect. The witness described the suspect as a white male in his "forties or mid-fifties." He was in relatively good shape "for his age." He was wearing a black shirt, light colored jeans and dark brown or black work boots. The suspect had a "graying" that appeared groomed well and not very long. The suspect was either bald or had short gray hair. The suspect vehicle was stopped behind the victim's truck. The suspect's vehicle was a dark colored four door sedan.

On 9 May 2018, the Lee's Summit Police Department Criminal Investigations Unit received information from a confidential source the stated the following:

1. The suspect in the stabbing death on 291 Highway and I-470 may be Nick or Nicholas Webb.
2. He lives in Pleasant Hill, Missouri on the corner of Taylor and Olive.
3. He served time in Missouri for stabbing someone to death and got out of prison a couple of years ago
4. He drives a small silver four (4) door vehicle.
5. He is a "Short and stocky", white, male, forty-five (45) to fifty-five (55) years old.
6. He has a goatee.
7. He was recently arrested for domestic assault involving his girlfriend by the Pleasant Hill, Missouri Police Department.

A computer search through the Missouri Department of Revenue revealed the following information:

1. Nicholas Manford Webb is a white male that is five foot nine inches tall and weighting one hundred seventy-four pounds.

2. He currently has an address in Pleasant Hill, Cass County, Missouri.

3. He is the registered owner of a 2006 Mitsubishi four (4) door sedan with a registered Missouri license plate of "PR4S5S."

4. At the time of manufacturing of the 2006 Mitsubishi, it was produced in the color of "effect gray pearl metallic."

On 9 May 2018, a Detective from the Clay County, Missouri Sheriff's Office contacted Detective M. Phillips with the Lee's Summit Police Department Criminal Investigations Unit. The Detective from the Sheriff's Office informed Detective Phillips that the suspect in our investigation, Nicholas M. Webb, was arrest in Liberty, Missouri on 5 May 2018 at 9:13 PM (the same day as the homicide in this investigation and approximately two hours of the homicide occurring in Lee's Summit). Nicholas Webb was arrested for "Possession - Other Dangerous Dugs" and "Driving Under the Influence." Detective Kudzinski obtained a copy of their arrest report and "body-cam" footage that revealed Webb to be operating a gray 4 door 2006 Mitsubishi Lancer displaying Missouri license plate PR4 S5S, being in possession of a knife in his right pants pocket, wearing a black t-shirt with blue jeans and having a balding head with a full short gray goatee.

On 9 May 2018, a team of Lee's Summit Detectives conducted surveillance of the residence belonging to Nicholas Webb located at 326 N Taylor St, Unit #4, Pleasant Hill, MO in regard to a "person of interest" entered for Webb. While doing surveillance, a small gray 4 door Mitsubishi Lancer arrived at the residence known to be registered to Webb. Webb was observed operating the vehicle and was placed in-custody for the active "person of interest" as he exited the vehicle. Detective Anders searched Webb's person "incident to arrest" and recovered the following:

- Black touch screen cellular phone
- Black/gray 4" stainless steel single edge blade Buck brand folding knife (right front pants pocket)
- Brown leather belt from Webb's waist
- Black tri-fold men's wallet containing Missouri driver's license for Webb with a 24" leather/chain belt clip
- Pack of Decade Red cigarettes and (2) lighters
- Set of car keys to Webb's vehicle
- \$181.76 in U.S. currency

On 09 May 2018, Detectives with the Lee's Summit Police Department executed a search warrant issued through the Circuit Court of Cass County at Webb's residence located at 326 N Taylor St, Unit #4, Pleasant Hill, MO. The search revealed the recovery of two pairs of brown boots, several black t-shirts and blue jeans.

Detective Ide conducted an interview with Nicholas Webb who stated on 05/05/2018, he woke up at approximately 0600 hours. He said he and [REDACTED] (girlfriend) went to the neighbors and hung out with them for most of the day. Webb stated that he had a couple of drinks that included some beer and Fireball shots. He said between 1600-1800 hours, he left the neighbors and drove to Excelsior Springs, MO to pick up a female friend. Webb said that his route of travel was driving north on 7 Highway to 50 Highway and west to M-291 Highway. Webb stated he then drove north on M-291 Highway through Lee's Summit, MO and he was in his Mitsubishi Lancer alone. Webb said that he did not have contact with anyone or stop anywhere in Lee's Summit as he traveled through. He stated nothing took place in the middle of the road as he traveled through Lee's Summit. Webb changed his statement when he was advised a witness observed the driver of the other vehicle coming back to his vehicle to "he might have." Webb admitted the other driver yelled at him "Hey, this is a merging lane." Webb advised he did not exit his vehicle, but started to and responded back to the other driver "all right dude." Webb stated there was no pushing or swinging because if there was, he would have been fighting. Webb admitted the other driver's truck slowed down and then he slowed down. He said the truck then stopped, so he stopped at which time the other driver got out of his truck and stated that it was a merging lane, but the other driver really did not seem all that mad. Webb changed his previous statement of he didn't exit his vehicle to after being confronted by the other driver, he told him "ok" and he "got back" into his vehicle. Webb admitted he might have

been trying to get around the truck, but it was no big deal. Webb observed a photograph of the victim, Cody Harter and admitted Harter looked familiar and he knows he had seen him before. Webb stated Harter is not dead because of him, the incident was no big deal to him and he did not hurt or kill Harter.

On 10 May 2018, Detective Ide conducted a second interview with Nicholas Webb who stated he had already explained to him what had happened and invoked his right to an attorney.

A computer check of Nicholas Webb's criminal history revealed a conviction for murder (22 May 1981) and multiple convictions for assault.

Detective Michael Reese #0727  
**Print Name (Detective)**

/S/ Detective Michael Reese #0727  
**Signature (Detective)**

May 10, 2018  
**DATE**