

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

POLICE NO. :	18-057368
PROSECUTOR NO. :	095447100
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
XZAVIER C MCDOWELL)	
11007 E 83rd Street)	CASE NO. 1816-CR
Kansas City, MO 64138)	DIVISION
DOB: 08/27/2000)	
Race/Sex: B/M)	
)	
)	DEFENDANT.

COMPLAINT

Count I. Murder 2nd Degree (565.021-001Y19840912.0)

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 July 28, 2018, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Deandrea R. Vine by stabbing her.

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 571.015.1, RSMo, in that on or about July 28, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in

State vs. Xzavier C McDowell

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 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. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a third offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than ten (10) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of ten (10) 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. Tampering With Physical Evidence In Felony Prosecution (575.100-001Y20175006.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of

Section 575.100, RSMo, committed the class E felony of tampering with physical evidence, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about July 28, 2018, in the County of Jackson, State of Missouri, the defendant concealed a knife with the purpose to impair its availability in the investigation of the murder of Deandrea Vine, an official investigation, and thereby impaired and obstructed the prosecution of Xzavier McDowell for the crime of murder in the second degree, a felony.

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.

State vs. Xzavier C McDowell

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/ Kristiane N. Bryant
Kristiane N. Bryant (#69524)
Assistant Prosecuting Attorney
415 E. 12th St.
Floor 7M
Kansas City, MO 64106
(816) 881-3597
KNBryant@jacksongov.org

WITNESSES:

1. [REDACTED]
64106
2. DET Chason C. Crowell, 1125 Locust, Kansas City, MO 64106
3. DET Timothy M. Fitzgerald, 1125 Locust, Kansas City, MO 64106
4. DET Wayne C. Fitzner, 1125 Locust, Kansas City, MO 64106
5. DET Daniel W. Frazier, 1125 Locust, Kansas City, MO 64106
6. [REDACTED]
64106
7. PO Kimberly Monk, 1125 Locust, Kansas City, MO 64106
8. DET Kristofer R. Oldham, 1125 Locust, Kansas City, MO 64106
9. Deandra R. Vine, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 08-02-2018

CRN: 18-57368

I, Detective Tim Fitzgerald #5492 of the Kansas City Missouri Police Department
(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 07-28-2018, at 8503 E. 92 Street in
(Date) (Address)

Kansas City, Jackson County Missouri Xzavier C. McDowell
(County) (Name of Offender(s))

R/S: B/M DOB: 08-27-2000 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 07-28-2018 at 0402 hours Officers from the Kansas City Missouri Police Department were dispatched to **8503 E. 92nd St, Kansas City, Jackson County, Missouri** on reported cutting. Upon arrival officers found a black female deceased in the front yard of the residence suffering from multiple apparent stab wounds and lacerations. The victim was transported to the Jackson County Medical Examiner’s Office where her death was ruled a homicide.

An investigation of the crime scene revealed the victim to be lying in the front yard suffering from numerous stab wounds on her head, face, neck, chest, stomach, arms and hands. The victim was only wearing a bra and a tank top. A white Honda minivan was in the driveway and the front passenger seat of it was covered in apparent blood. There was a large amount of apparent blood on the driveway just outside the front passenger side door of the van. There was a white SUV and red sedan also parked in the driveway that had a large amount of apparent blood smears on them. The victim’s pants or underpants were not located.

Family members of the victim were contacted at the scene who stated the victim lived at the dispatched address with numerous adult and juvenile family members. An uncle was contacted and stated he pulled up in front of the house on 07-28-2018 at approximately 0100 hours and observed the victim sitting outside the front of the residence with a tan blanket wrapped around her talking to an unknown younger looking black male with a backpack. By the time he had exited his vehicle and approached the victim, he did not see the male with her. The uncle had a brief conversation with the victim before going inside and going to sleep. He was later awoken by a nephew who had found the victim lying in the front yard covered in blood. 911 was called. The victim’s sister stated the victim worked at Walmart off of 350 Highway and she was “messing” with a seventeen year old male that also worked at the Walmart.

A witness was contacted and she stated on 07-28-2018 at 0145 hours she pulled up to a friend’s house who lives across the street from the residence where the homicide occurred. At that time, she observed a green SUV in the street driven by an unknown male who asked her if she ordered an Uber. She then heard arguing and female screaming “Ok”, “Stop” and “Help” from across the street. Looking across the street, she observed someone fall

PROBABLE CAUSE STATEMENT FORM

CRN 18-57368

behind to the ground beside the red vehicle that was parked in the driveway. She observed a black male who was wearing black pants retrieve a backpack from the white van in the driveway and then go into the backyard of the residence.

Another witness who lived across the street from the residence where the homicide occurred was contacted and she stated on 07-28-2017 at 0147 hours she opened the front door of her residence to let a friend inside and heard a female screaming "Ouch" from across the street. She yelled "Is everything ok?" but did not get an answer. She got a flashlight, walked to the end of her driveway, and looked across the street to see if anything was going on. At that time, she observed a black male in white t-shirt get out of the passenger side of the white van that was parked in the driveway of the residence, walk around the front of the van to the driver side of the van where he knelt down. Getting no response from anyone, she went back inside and the next time she went outside police officers were on scene.

Detectives responded to the Walmart located at 10300 E. 350 Highway, Raytown, Missouri. Management at the Walmart confirmed the victim worked there and stated the victim was involved in a romantic relationship with **Xzavier C. McDowell B/M 08-27-2000**.

A friend of the victim who works with the victim at Walmart was contacted and she stated the victim was involved in a sexual relationship with a younger male who also works at Walmart named Xzavier. She added the victim told her she wanted to get pregnant by Xzavier and that Xzavier was upset with the victim about the possibility that the victim was pregnant by him.

On 07-28-2018 at 1000 hours Detectives responded to **McDowell's** residence located at 11007 E. 83 St. and contacted him. **McDowell** stated he was in a "lust relationship" and he had sex with the victim twice over the past few months with the last time being one month ago at a hotel. He saw the victim on the night 07-27-2018 when they were working together at Walmart but he did not say anything to her. His mother picked him from work at Walmart at 2200 hours and drove him home where he has been ever since.

A search of the white van at the scene revealed an Apple Iphone that was determined to belong to the victim. A search of the Iphone revealed four "FaceTime Video" missed calls from xzaviermcdowell2@gmail.com on 07-28-2018. Two of the missed calls were at 0014 hours and the other two were at 0038 hours. There are no other incoming, outgoing, or missed calls on the victim's phone between those times and the time she was found deceased. Furthermore, a text message string on the victim's phone from 07-26-2018 at 2025 hours was located in which "Xzavier" states "Omg stop telling me that stuff as long as you're not pregnant that's all I'm worried about." The phone number associated with "Xzavier" is the same phone number **McDowell** provided to Detectives when he was interviewed.

Furthermore, the search of the white van revealed a receipt on the front passenger floorboard with a bloody shoe impression on it. That bloody shoe impression had a pattern similar in style to those of Vans shoes. Detectives obtained the video surveillance footage of Walmart on the night of 07-27-2018 which showed **McDowell** wearing shoes that appeared to be Vans shoes.

PROBABLE CAUSE STATEMENT FORM

CRN 18-57368

The Uber driver who was seen in front of the residence where the homicide occurred was located and he stated he was sent to the victim’s address at 0137 hours of 07-28-2018. He was supposed to pick up a male but once he arrived he heard a female screaming and a male running away. He assumed the male who called him was the male running away so he canceled the Uber trip and left. In addition, he stated the address he was supposed to take the male to after picking him up from the victim’s address was 8211 Sterling Ave. Raytown, Missouri. A search of 8211 Sterling Ave. revealed it to be the address for Raytown South High School which is adjacent to McDowell’s residence.

On 08-01-2018 at 1340 hours McDowell was arrested and transported to Police Headquarters for questioning. McDowell was read his Miranda Rights and agreed to speak with Detectives. McDowell stated he has been involved in a sexual relationship with the victim for the last two months and the victim recently told him she was pregnant and that he was the father. McDowell initially denied being at the victim’s residence on the night of the homicide or having any involvement in the homicide. McDowell then stated he went to the victim’s residence and had sex with the victim in the front passenger seat of the white van parked in the victim’s driveway. The victim was on top of him while they were having sex and after they finished having sex the victim produced a knife and tried to stab him. He was able to grab the knife from the victim before she stabbed him and he stabbed the victim in the neck. He stated that he stabbed the victim “a bunch of times” in her neck and chest inside the van before the victim got out of the van. Once the victim got out of the van he stabbed the victim several more times because he was “trying to make it happen faster”. He then left the area for approximately five minutes but returned in order to make sure the victim was dead. At that time, he observed the victim lying in the front yard of the residence and he stabbed the victim several more times to include her temple because “she had to die” in order for him to not get in trouble for initially stabbing her. He then ran through some backyards in the area and hid the knife in “some dirt”. He eventually found a house that had an outlet outside and he charged his cell phone on the outlet in order to call for an Uber. The Uber picked him up and dropped him off at Raytown South High School where he then walked home. Once he got home, he took a shower and burned the clothes he was wearing in his backyard.

A search warrant was served at McDowell’s residence and a luminol test was conducted inside. The luminol test revealed the presence of blood in a bathroom sink, a bathtub, a shower in a separate bathroom, and in McDowell’s bedroom. Furthermore, ashes which appeared to be from clothing, specifically a sock, were located in the backyard.

Printed Name Detective Tim Fitzgerald #5492 Signature /S/ Detective Tim Fitzgerald #5492

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

Judge

Circuit Court of _____ County, State of Missouri.