

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	19-046245
PROSECUTOR NO. :	095455002
OCN:	QO000796

STATE OF MISSOURI,)	
	PLAINTIFF,)
vs.)	
)	
SELVIN D CRUZ)	
120 E Linden Ave)	CASE NO. 1916-CR
Independence, MO 64050)	DIVISION
DOB: 08/19/2002)	
Race/Sex: W/M)	
████████████████████)	
	DEFENDANT.)

COMPLAINT
WARRANT REQUESTED

Count I. Robbery - 1st Degree (570.023-001Y20171205.0)

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 A felony of robbery in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about June 17, 2019, in the County of Jackson, State of Missouri, the defendant forcibly stole a Honda HRV in the possession of ██████████ ██████████ and in the course thereof defendant displayed and threatened the use of what appeared to be a dangerous instrument.

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 (571.015-001Y19755299.0)

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 June 17, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of Robbery in the First Degree charged in Count I, all allegations of which are incorporated herein by reference, and the defendant

State vs. Selvin D Cruz

committed the foregoing felony of Robbery in the First 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.

Count III. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim (565.050-001Y19841305.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the **class A felony of assault in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about June 17, 2019, in the County of Jackson, State of Missouri, the defendant stabbed the victim, and such conduct was a substantial step toward the commission of the offense of assault in the first degree of [REDACTED] and was done for the purpose of committing such assault, and in the course thereof inflicted serious physical injury on [REDACTED].

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 IV. Armed Criminal Action (571.015-001Y19755299.0)

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 June 17, 2019, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of Assault in the First 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.

State vs. Selvin D Cruz

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:

1. PO Shawn Bloss, 223 N. Memorial Drive, Independence, MO 64050
2. [REDACTED]
MO 64106
3. PO Joshua Gena, 223 N. Memorial Drive, Independence, MO 64050
4. [REDACTED]
5. PO Roger Lane, 223 N. Memorial Drive, Independence, MO 64050
6. PO Maggie Roth, 223 N. Memorial Drive, Independence, MO 64050

PROBABLE CAUSE STATEMENT

Date: 6/18/2019

Report #: 2019-46245

I, Roger Lane, a Detective with the Independence, Missouri, Police Department, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that on 6/17/2019, at 1748 hours, Selvin D. Cruz, (Race- white, Sex- male, DOB- 08/19/2002, Address-120 E. Linden Avenue, Independence, Jackson County, Missouri, 64050, [REDACTED], committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 06/17/2019 at 1748 hours, Selvin D. Cruz, (Herein referred to as the Defendant) did knowingly and willfully assault the victim; [REDACTED] by stabbing her in the face and back several times with a pair of scissors and then steal her white 2016 Honda HRV automobile.

Independence, Missouri Police Officer Shawn Bloss will testify that he responded to the Bingham-Waggoner Estate at 313 W. Pacific Avenue on a reported stabbing. Upon his arrival Officer Bloss observed the victim, [REDACTED], sitting down on the west pathway leading to the Estate. The victim was conscience and talking but appeared to have several stab wounds to her torso and also her face. The victim was briefly interviewed and stated that the Defendant approached her when she pulled into the parking lot in her vehicle. As she exited her vehicle, the Defendant demanded her car keys and forced the door shut on her as she was standing. [REDACTED] refused to give her car keys to the Defendant as he produced a sharp object and stabbed her in the lower left side of her face. [REDACTED] attempted to get away from the Defendant, walking to the west as he followed. She again refused to give him the keys to her car, at which time the Defendant grabbed her by the head and began to stab her several times with the sharp object. The Defendant was able to get the keys away from her and run to the driver's seat of the vehicle. [REDACTED] was able to retrieve her purse out of the passenger seat of the car as the Defendant drove away in her vehicle. [REDACTED] was able to walk to the sidewalk near the buildings of Bingham Waggoner Estate and call 911 for help. [REDACTED] was later transported to an area hospital for her injuries.

Independence, Missouri Police Officer Maggy Roth arrived on scene and entered [REDACTED]'s white 2016 Honda HRV as a stolen auto. The information was BOLO'd to other officers and surrounding agencies. Video was recovered from the scene showing the incident and a description of the suspect; which matched the Defendant. The description was a white or Hispanic male wearing a red/maroon sweatshirt, a gray hat with a green bill, black shoes, dark colored pants and red shorts with a black stripe on each side under the pants.

Recovered from the scene was a Modelo beer can that the suspect had been drinking, a pair of red handled scissors and several finger prints off of a red Ford Mustang that the suspect had been prowling prior to contacting the victim.

On 06/17/2019 at 2059, Independence, Missouri Officer Joshua Gena was on routine patrol in the area of 23rd St and Cottage when he observed a white Honda HRV traveling westbound with the hazard lights on and a left front tire completely missing. Officer Gena followed the vehicle and conducted a computer inquiry on the license plate on the vehicle. As the white Honda HRV turned north on Crysler from 23rd St, police dispatch confirmed that the vehicle was the reported stolen Honda HRV from the aggravated assault earlier in the shift. Officer Gena continued to follow without activating his emergency equipment awaiting an assisting unit. The vehicle was occupied by a lone white male occupant. When the vehicle turned eastbound on Elm, Officer Gena activated his emergency equipment and the Defendant refused to initially stop as he began to yell at officers out the driver's side window. The driver stopped the vehicle and began to run on foot. Officer Gena gave chase on foot as Independence Police Officer Leap and his K9 partner arrived on scene. The Defendant was apprehended after being bit by the police K9. The Defendant was cleared by medical professionals and then transported to

Jackson County Family Court after being booked into Independence Police Detention. Prior to the Defendant being transported to Jackson County Family Court, I recovered a pair of under shorts off of the Defendant that matched the shorts that were under the pants shown in the video. A cell phone with a blue case was also recovered out of the Defendant's property which matched a cell phone that was seen in the surveillance video.

The reported stolen vehicle was towed to the Independence, Missouri Police K9 unit to be held for processing. The vehicle would later be processed by Independence Police Crime Scene Tech Myers. Nothing of evidentiary value was located.

Independence, Missouri Police Detective Roger Lane attempted to contact the Defendant's mother and was eventually able speak with Wendy Orellana at her residence of 120 E. Linden Avenue. Wendy did not speak English so Independence Police Detective Luis Virgil responded to the scene to assist with translation. (Detective Virgil speaks fluent Spanish) Detective Lane explained the circumstances to Wendy and requested consent to search her residence for any evidence regarding the incident that had occurred at 313 E. Pacific the previous night. Wendy agreed to allow Detectives to search the residence and signed consent to search form. Located inside of a rear bedroom, which Wendy advised was the Defendant's was an opened case of Modelo beer with several empty cans, a maroon sweatshirt with a gold falcon on the upper middle back, a pair of black Air Jordan tennis shoes and a gray hat with a neon green bill. All the items were photographed and recovered.

Wendy responded to Jackson County Juvenile Detention with Detective Lane and Detective Virgil to allow an opportunity to interview the Defendant. Once there, the Defendant was read his right at which time he invoked and refused to provide a statement.

Detective Roger Lane PID #1344

/S/ Roger Lane

Print Name

Signature