

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

POLICE NO. :	KC20001881
PROSECUTOR NO. :	095456995
OCN:	HS016545

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
NICHOLAS A. JAMES)	
3520 Flora Ave.)	CASE NO. 2016-CR
Kansas City, MO 64110)	DIVISION
DOB: 12/08/1998)	
Race/Sex: B/M)	
)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Murder 2nd Degree (565.021-001Y19840903.0)

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 8, 2020, in the County of Jackson, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Deandre Chiney caused the death of Deandre Chiney by shooting 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 (571.015-001Y19755213.0)

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 8, 2020, 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

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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. 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. Assault - 2nd Degree (565.052-001Y20171314.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.052, RSMo, committed the **class D felony of assault in the second degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about January 8, 2020, in the County of Jackson, State of Missouri, the defendant recklessly caused physical injury to D.C. (07/17/2019) by means of discharge of a firearm.

The range of punishment for a class D 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 seven (7) 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.

Count IV. 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 8, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the Second Degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant

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committed the foregoing felony of Assault 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. 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 V. Endangering The Welfare Of A Child - 1st Degree - Physical Injury - No Sexual Conduct (568.045-021Y20173899.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 568.045, RSMo, committed the **class C felony of endangering the welfare of a child in the first degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about January 8, 2020, in the County of Jackson, State of Missouri, the defendant knowingly acted in a manner that created a substantial risk to the life, body and health of D.C. (07/17/2019), a child less than seventeen years of age, by discharging a firearm knowing D.C. was present, and this offense resulted in physical injury to the child.

The range of punishment for a class C 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 seven (7) 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 five thousand dollars (\$5,000); 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 up to a maximum of twenty thousand dollars (\$20,000). (<=2016) The range of punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; 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. (>=2017)

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The facts that form the basis for this information and belief are contained in the statement(s) of facts filed contemporaneously herewith, 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/ Brady X. Twenter
Brady X. Twenter (#49380)
Assistant Prosecuting Attorney
415 E. 12th St.
10th Floor
Kansas City, MO 64106
BTwenter@jacksongov.org

WITNESSES:

1. [REDACTED]

MO 64106

6. DET Mary J Kincheloe, 1125 Locust, Kansas City, MO 64106
7. PO John P. Mahoney, 1200 E. Linwood, Kansas City, MO 64106
8. DET Scott P. Mullen, 1125 Locust, Kansas City, MO 64106
9. DET Jacquelyn R. Mutschler, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 01-10-2020

CRN: KC20001881

I, Det. Scott Mullen #5431
(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 01-08-2020, at 2044 Park Tower Drive in
(Date) (Address)

Kansas City, Jackson Missouri Nicholas A. James
(County) (Name of Offender(s))

B/M 12-08-1998 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 01-08-2020, at 1253 hours, Officers of the Kansas City Missouri Police Department were dispatched to 2044 Park Tower Drive on a reported shooting. Upon arrival, Officers located a male suffering from apparent gunshot wounds. He was transported to Truman Medical Center where he was pronounced deceased. Approximately the same time officers arrived at the Park Tower Drive crime scene, a 5 month old baby suffering from a gunshot wound to the leg arrived at Research Hospital in a black Toyota Camry 4dr, MO VD4W9Y, VIN: 4T9BF3EKXAU054267. The baby was later determined to be the child of the deceased male from Park Tower Drive and shot during the same incident.

Surveillance video was obtained from Park Tower Drive which captured the shooting on video. In the video a black sedan (above mentioned Toyota Camry) arrived and the right rear passenger (Suspect) exited the sedan. The suspect walked to the front door of 2044 Park Tower Dr and knocked on the door. The suspect returned to the car for a few moments and then walked back to the front door, extended his arm, and started to shoot the victim. The suspect entered 2044 Park Tower Dr as he continued to shoot the victim. The suspect exited the house and appears to be holding something as he ran back to the four door sedan. Four other occupants are seen getting out of the black sedan around the time of the shooting. All 5 parties including the suspect entered the black sedan and fled the scene after the shooting.

Spent shell casings were recovered on the concrete porch/steps at the front door of 2044 Park Tower Drive. Spent shell casings were recovered inside the living room area just inside the front door. Apparent blood was observed on the carpet as well as apparent blood stained clothing. A spent bullet was also recovered from inside the residence.

Family members of the 5 month old baby who responded to Research Hospital were contacted by responding officers. The grandmother of the child who later identified herself as the driver of the black

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sedan and another female who identified herself as the aunt of the baby [REDACTED] and later the other female occupant of the black sedan were transported to Police Headquarters to provide statements.

[REDACTED] stated the baby's mother ([REDACTED]) and the deceased male victim (DC) are the parents of the baby. [REDACTED] stated the baby was released from Children's Mercy earlier on 01-08-2020 and they were given a ride home (2044 Park Tower Drive) by [REDACTED]. [REDACTED] stated after [REDACTED] and DC were dropped off, they got into an argument. [REDACTED] called her and told her about the disturbance and asked her to come pick her up. [REDACTED] stated she called [REDACTED] who went back and picked up [REDACTED] and her other child [REDACTED] and brought them to her house. [REDACTED] stated when [REDACTED] and [REDACTED] arrived at her house she asked where the baby was. [REDACTED] told her DC wouldn't let her take the baby with her. [REDACTED] stated she decided to take [REDACTED] and go back to 2044 Park Tower Drive to get the baby and [REDACTED]'s cell phone. [REDACTED] stated [REDACTED] stayed at her house. [REDACTED] stated while in route [REDACTED] called **Nicholas** who is the father of [REDACTED] and told him about the disturbance between [REDACTED] and DC and told him they were on the way to the house to try and get the baby from DC. **Nicholas** told them to come pick him up on the way. [REDACTED] stated they picked up **Nicholas** and two other black males off 31st/Elmwood and drove to 2044 Park Tower Drive. [REDACTED] stated when they arrived, **Nicholas** exited the vehicle first and went to the door. [REDACTED] stated the other two males inside the car went over to the stairs by the door, but did not approach the door. [REDACTED] stated eventually DC answered the door and **Nicholas** and DC were having words. [REDACTED] stated she had exited the vehicle and was standing near the front of the vehicle when she could see **Nicholas** by the door and heard gunshots. [REDACTED] stated she could not see **Nicholas** shooting DC but could hear the gunshots. [REDACTED] stated [REDACTED] got out of the car and ran to the house and got the baby out of the house and everyone ran and got back into the vehicle. [REDACTED] stated she was yelling at **Nicholas** and asking over and over why he just did that. [REDACTED] stated [REDACTED] then realized the baby had been shot and **Nicholas** started to panic and stated he did not mean for that to happen (referencing shooting the baby). [REDACTED] stated **Nicholas** and the other two males exited the vehicle near 31st/Indiana. [REDACTED] stated she drove to Research Hospital and dropped off [REDACTED] and the baby and then she went home to tell [REDACTED] what happened to her baby. [REDACTED] stated she drove her car back to the hospital and [REDACTED] drove separately. [REDACTED] identified **Nicholas** as **Nicholas A. James B/M 12-08-1998**. A single photo of **James** was shown to [REDACTED] who confirmed the person in the photo was the **Nicholas** she referred to in the story as the person who shot DC.

[REDACTED] provided a similar account of the story as [REDACTED] and also identified **James** as the person who shot DC. During her statement [REDACTED] stated she did see **James** with a gun in his hands and shooting DC with it. [REDACTED] stated she observed **James** continue to shoot DC as he went inside the residence and then come back out holding the baby before handing it to her when they all entered the black sedan and left the scene.

On 01-09-2020 **James** was arrested and transported to Police Headquarters. After being read his Miranda Rights and **James** stating he understood them, **James** initially stated he was home all day and did not leave the house on 01-08-2020. After being told what he just said was a lie, **James** changed his story and admitted to being picked up by [REDACTED] and going to 2044 Park Tower Drive, but stated he and DC were fighting over a gun and his daughter ([REDACTED], who wasn't present). After being told he just lied again and the incident was captured on video, **James** confessed to shooting DC.

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Printed Name Det. Scott Mullen Signature /s/Det. Scott Mullen #5431

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

Judge

Circuit Court of _____ County, State of Missouri.