IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI <u>AT KANSAS CITY</u>

KC20023366
095458563
)
NTIFF,)
)
)
)
) CASE NO. 2016-CR
) DIVISION 26
)
)
)
NDANT.)

COMPLAINT WARRANT REQUESTED

Count I. Murder 2nd Degree - Felony Murder - During Perpetration/attempted Perpetration/flight From Perpetration Of A Felony, A Person Dies (565.021-003Y19840999.0)

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 April 5, 2020, in the County of Jackson, State of Missouri, Monrico C Roseberry was killed by being shot as a result of the perpetration of the class B felony of burglary in the first degree under Section 569.160, RSMo, committed by the defendant on or about April 5, 2020, in the County of Jackson, State of Missouri.

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.

State vs. Shimari S Frierson

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 April 5, 2020, in the County of Jackson, State of Missouri, the defendant, alone or in concert with another or others, 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 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. Attempted Burglary 1st Degree (569.160-001Y20172204.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 569.160, RSMo, committed the **class B felony of burglary in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about April 5, 2020, in the County of Jackson, State of Missouri, the defendant, alone or in concert with another or others, knowingly entered unlawfully in an inhabitable structure, located at 8044 Campbell Ave., Kansas City and possessed by Monrico C. Roseberry, for the purpose of committing a robbery therein, and while in such an inhabitable structure there was present in such an inhabitable structure Monrico C. Roseberry, a person who was not a participant in the crime.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

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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/ 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

WITNESSES:

- 1. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
- 3. DET Heather D. Leslie, 1125 Locust, Kansas City, MO 64106
- 4. DET Sean P. Martin, 1125 Locust, Kansas City, MO 64106
- 5. DET James H. Price, 1125 Locust, Kansas City, MO 64106
- 6. DET Steffan I. Roetheli, 1125 Locust, Kansas City, MO 64106
- 7. DET Ilinca E. Rusnac, 1125 Locust, Kansas City, MO 64106
- 8. DET Timothy R. Taylor, 1125 Locust, Kansas City, MO 64106
- 9. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 04-05-2020	CRN: _20-23366
I, Det. Bonita Cannon, #4585, Kansas	City Missouri Police Department
	, or person having information as probable cause.)
knowing that false statements on this for	m are punishable by law, state that the facts contained herein are true.
I have probable cause to believe that on	The state of the s
	(Date) (Address)
Kansas City, Jackson	Missouri Shimari S. Freirson
(County)	(Name of Offender(s))
DOB: 01-20-1996 /	committed one or more criminal offense(s).
Upon their arrival officers observed a femi- officers to come upstairs. The main door o location where they observed a black male of life. Officers on the scene moved the vi- with negative results.	urs officers of the Kansas City Missouri Police Department were
A search warrant was obtained and during	the execution of the search warrant a brass colored shell casing with a on the same sofa that victim was on. A Glock handgun was located ed.
secured front (east facing) door of the apar he entered, repeatedly told if, "I'm pushed past as the male in a black h	stated when her brother arrived she went downstairs to the attent building. She opened it allowing her brother, inside. As a sorry they made me do it." stated two unknown black males accorded jacket put his hand over her mouth, and told her, "Take me to eapon but felt something in her back as they followed her to her
stated she led the suspects and males entered her apartment, the unknown victim, before all three (including rather the victim utter, "Oh shit I knew this would	pstairs to her apartment. Stated and the two unknown black black male in a blue hooded jacket, armed with a long rifle, shot the an out of the apartment. Stated just prior to the shooting, she heard d happen."

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stated she cashed her settlement check and had approximately \$60,000 in cash, inside of her backpack she had inside of her apartment at the time of the shooting. Suspect #1 was taken into custody during the responding officers' area canvass in the 8200 block of Holmes Road. Upon their contact with the head been shot by accident, while at his sister's house. KCFD / EMS was notified and responded to treat what appeared to be a laceration on the web of left hand. was transported to Police Headquarters and advised of his Miranda Rights. stated he confided in Frierson that he knew where they could get \$60,000. awarded \$60,000 of which he felt she did not deserve, and he could do better with the money. stated he did not tell Frierson that was his nor did he and Frierson make any plans. He stated he was just telling someone about the money that he knows has a history of committing robberies. stated he, had considered taking the money from his sister, but after visiting her earlier in the day, he had a change of heart. stated he tried to dissuade Frierson and the unknown friend of Frierson, by telling them that her boyfriend may be there. stated Frierson and the unknown male planned to shoot the female, her boyfriend didn't go through with their plan. He further stated that Frierson and the unknown male (lighter complexion with a dreadlock braids hairstyle) planned to shoot the victim if he resisted. stated that Frierson drove the unknown male's vehicle, first to a gas station located at 47th Street and Swope Parkway, where both Frierson and the unknown male exited the vehicle. stated that Frierson went inside the gas station, while the unknown male met up with a brother to give or get marijuana. they then drove from the gas station to his sister's residence. described the vehicle as a dark colored Ford Fusion. stated Frierson was wearing a black hooded jacket and the unknown male was wearing a blue hooded jacket at the time of the shooting. stated that Frierson was initially armed with a rifle, with a clear or, "see-through," magazine. stated that Frierson and the unknown male swapped guns, the unknown male giving Frierson a handgun and taking Frierson's rifle. stated he was told to delete the messages between him and Frierson. to Search of his cell phone. Upon reviewing his cell phone located in Facebook Messenger was a call between and Frierson at 2350 hours on 04-04-2020. vas shown a photographic lineup of six black males, similar in appearance. One of the males was Shimari Frierson B/M 01-20-1996. positively identified Frierson as planning the robbery of the scene, and present when the shooting of the victim occurred. denied knowing the male that was with them when the shooting occurred. also stated Frierson also held at gunpoint and told her to take them to the money.

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At 1300 hours Frierson was taken into custody. He was transported to Police Headquarters. Frierson was advised of his Miranda Rights. Frierson stated he understood his rights.
During his interview Frierson initially stated he was home from approximately 2200 hours (04-04-2020) until the following morning, on Facetime with his girlfriend who lives in West Virginia. Frierson agreed to and signed a Consent to Search of his cell phone. Frierson was asked about his vehicle and identified a burgundy Honda CRV as his, but further advised that he had switched the plates from a vehicle owned by somebody else onto that vehicle.
Upon reviewing his cell phone call log, detectives noted Frierson did not make or receive any call during the time of the homicide. The Facetime call to his reported girlfriend was at 0150 hours.
Frierson confirmed having knowledge of the \$60,000, he described the clothing was wearing the night of the shooting, as well as identifying a photograph of as the "Weird guy George." He further stated he drove a vehicle (he did not describe) to a gas station, located at 47th and Swope Parkway, with male he only knows as "Lil Bro."
A search of area license plate readers (LPR) identified a dark colored Ford Fusion, with Missouri license TC2R0B. That vehicle was observed passing through the LPR at 82 Ter. / Troost Av. at 0108 hours on 04/05/2020. The license responds to a different vehicle, registered to a female with the same last name as Frierson 's girlfriend. The license plate appeared on multiple vehicles in the last three days, including a burgundy Honda CRV on 04/03/2020, matching the description of Frierson 's vehicle.
Following the extraction of data on Frierson 's cell phone, investigators observed a photograph of two rifles, one with an apparent clear magazine and one with a window in the magazine, matching the description of Frierson 's rifle provided by
Printed Name Det. Bonita Cannon, #4585 Signature
The Court finds probable cause and directs the issuance of a warrant this day of
Judge
Circuit Court of County, State of Missouri.
County, State of Missouri.