

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

POLICE NO. :	KC20039242
PROSECUTOR NO. :	095460100
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
ANTOINE R. COTTON)	
3516 Independence Ave)	CASE NO. 2016-CR
Kansas City, MO 64123)	DIVISION
DOB: 08/30/1977)	
Race/Sex: B/M)	
)	
)	
)	DEFENDANT.

COMPLAINT
WARRANT REQUESTED

Count I. Murder 2nd Degree (565.021-001Y19840904.0)

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 June 15, 2020, in the County of Jackson, State of Missouri, the defendant with the purpose of causing serious physical injury to Hoang Dinh caused the death of Hoang Dinh by striking him.

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. Antoine R. Cotton

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 15, 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 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.

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.

State vs. Antoine R. Cotton

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/ Joseph R. Van Amburg
Joseph R. Van Amburg (#64207)
Assistant Prosecuting Attorney
415 E. 12th St.
11th Floor
Kansas City, MO 64106
(816) 881-3825
JRVanAmburg@jacksongov.org

WITNESSES:

1. [REDACTED] Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. [REDACTED]. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
3. Hoang Dinh, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
4. [REDACTED] Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
5. DET Vernon D. Huth, 1125 Locust, Kansas City, MO 64106
6. DET Kristofer R. Oldham, 1125 Locust, Kansas City, MO 64106
7. DET Whitney L Thomas, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 07-27-2020

CRN: KC20039242

I, Detective Whitney Thomas # 5679
(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 06-15-2020, at Thompson Av and Askew Av in
(Date) (Address)

Kansas City, Jackson Missouri Antoine Cotton B/M, 08-30-77
(County) (Name of Offender(s))

_____ committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 06-15-2020, officers with the Kansas City Missouri Police Department were dispatched to the area of Thompson Avenue and Askew Avenue in regard to a reported medical nature unknown. Upon arrival, officers observed a deceased male later identified as Hoang Dinh lying on the ground on Thompson Ave, just to the East of Askew Ave on the south side of the street. Officers observed a blanket over the top half of the body. Upon removing the blanket officers observed severe trauma to the victim’s head area. The Kansas City Missouri Police Department’s Crime Scene Investigations Unit responded to the scene of the homicide. Swabs of the crime scene were taken and the scene processed. It should be noted there was a window sash weight located just above the victims head head.

On 06/16/2020, witness#3 responded to Police Headquarters to provide a formal statement in regard to the captioned case. Witness#3 said he got home around midnight on 06/15/2020 and was on his front porch smoking a cigarette. Witness#3 said he noticed an unknown black male on the northeast corner of Thompson Ave and Askew Ave. Witness#3 said the unknown black male was pacing in the middle of the intersection. The unknown black male walked to the east on Thompson Ave over to where a UHaul was parked. The unknown black male picked up a dark colored blanket and took it over to an area where there were two couches and spread the blanket out on the ground. The unknown black male walked to the other side of the couches into a grassy area where he picked up a large brick like object. The unknown black male walked over to where the blanket was, laid the brick down. The unknown black male knelt down and it appeared he kissed the pavement. The unknown black male picked up the brick like object and slammed it down towards the ground. Witness#3 said it looked like there was some kind of resistance on whatever the unknown black male was hitting. Witness#3 said the unknown black male slammed the brick like object approximately four times. The unknown black male walked back to the grassy area and put the brick like object back in the grass near a small tree. Witness#3 said the unknown black male walked back over to the northeast corner of the intersection and started wiping his left foot in the grassy median. Witness#3 then sat down on the curb and started smoking a cigarette. On 06/16/2020, Detectives responded back to the area of Thompson Ave and Askew Ave and located an object that matched the description witness#3 gave as well as a cigarette butt.

On 07/08/2020, witness #1 responded to Police Headquarters and stated she had information in regard to the homicide. Witness #1 stated that on the night that Hoang Dinh was murdered, she was at the purple house on Thompson Avenue just west of Askew (3519 Thompson Ave), and was leaving to take her friend witness #2 home. Witness #1 said she noticed there were some couches on the corner of Thompson Ave and Askew Ave, so she backed her truck up into the intersection. Witness #1 said she and Witness #2 looked at the couches and thought they were still good to use, so they started loading the cushions in the back of her truck.

Witness #1 said while they were loading the cushions, the victim Hoang Dinh walked up. Witness #1 said they told Hoang if he helped them load the couch in the truck she would give him \$5.00. Witness #1 said when they were about to load the couch into the truck another black male walked up. When the black male walked up he hugged Hoang and Witness #2. The unknown black male agreed to help them load up the couch in Witness #1’s truck. Witness #1 said when they stood along the couch to pick it up she was standing on the west end of the couch, Witness #2 was standing next to her just to the east, the unknown black male was standing just to the east of Witness #2 and Hoang was on the far east corner of couch next to the black male.

PROBABLE CAUSE STATEMENT FORM

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Witness #1 said they all bent down like they were going to pick up the couch. When they bent down, Witness #1 said it looked like the unknown black male's hand slipped and he picked something up off the ground. The unknown black male started hitting Hoang over the head three to four times. Witness #1 said Hoang fell to the ground. Witness #2 tried to pull the unknown black male back away from Hoang. The unknown black male got away from Witness #2 and hit Hoang in the head a few more times. Witness #1 said the unknown black male hit Hoang a few more times. She said at first it sounded like his skull was cracking then it sounded like his head was "mush." Witness #1 said she and Witness #2 got into her truck and the unknown black male tried to get in too, but Witness #2 pushed him out. Witness #1 sped off and took Witness #2 home when they left the scene. Witness #1 told detectives that the black male went by the moniker "Nephew." Witness #1 provided detectives with a google mapping of witness #2's residence. Detectives were able to identify 3118 E. 49th Street and the apartment complex where witness #2 resides. Detectives contacted Metro Patrol Division Multi-housing Unit officers who provided them with a list of tenants. Detectives were able to identify witness #2 as Odell Anthony B/M 03-19-1961. Witness #1 was shown a DOR photo of witness #2 who she positively identified as Anthony. On 07-27-2020 at approximately 1150 hours members of the Kansas City Career Criminal Task Force along with FBI Agents assigned for Operation Legend were conducting surveillance in the area of 3118 E. 49TH, Jackson County, Kansas City, Missouri. The purpose of the surveillance was to locate witness #2 who was identified as [REDACTED] B/M 03-19-1961. It should be noted that [REDACTED] was known to have an outstanding warrant unrelated to this investigation. At approximately 1218 hours, Task Force Officers observed [REDACTED] exit the northern most door of building 3008 E. 49th, Jackson County, Missouri. Task Force members and Agents conducting surveillance made contact with [REDACTED] and took him into custody without incident.

As [REDACTED] was being taken into custody, Task Force Officers observed a smaller black male, wearing a dark t-shirt and pants emerge from behind [REDACTED]. He identified himself as [REDACTED]'s son and demanded to know why [REDACTED] was being arrested. [REDACTED] was asked if the smaller black male was his son and he immediately responded "No that's Nephew". [REDACTED] told Task Force Officers that he knew what this was about and "Nephew" was the one from the avenue. Task Force Officers believed he was referring to the Independence Avenue corridor where the Homicide of Hoang Dinh had occurred. [REDACTED] continued with his spontaneous utterance' "Man, he snuck up on that dude and hit him in the head for no reason." [REDACTED] went on to explain the object "Nephew" used to hit the victim over the head. After hearing this, Task force Officers immediately realized this could be the suspect from the Homicide and took Nephew into custody at that time. Nephew was identified as Cotton, Antoine BM 08/30/1977.

On 07/27/2020, Detective spoke with witness#2 who relayed the following: the night of the murder, he was leaving the "Barney house" on Thompson Ave (3519 Thompson Ave) to go home and witness#1 was giving him a ride. Witness#1 backed her truck up to the intersection of Thompson Ave and Askew Ave. Witness#1 saw the couches on the corner of Thompson Ave and Askew Ave. Witness#1 and witness#2 decided they would be good couches for witness#1 to put in her apartment. Witness#1 and witness#2 were loading the cushions in the truck when Cotton walked up. Cotton agreed to help them move the couches. Witness#2 said in the meantime, the victim walked up and also agreed to help move the couch to the truck. Witness#2 said him and witness#1 were still loading cushions into the truck when the victim crouched down like he was going to pick the couch up. When the victim crouched down Cotton walked behind the victim and hit him over the head with a window weight. Witness#2 described it as window sash weight. Witness#2 said Cotton hit the victim over the head multiple times. Witness#2 asked Cotton what he was doing and Cotton said "I got him. I told him I was going to get him." Witness#1 and witness#2 got into witness#1's truck and left the scene. Witness#2 said Cotton was still hitting the victim over the head when they drove off. Witness#2 was shown a single photo of the victim, Dihn Hoang, and said that was the person Cotton was hitting but he did not know his name. Witness#2 was shown a single photo of Cotton and said that was "Nephew" and that is who he saw hitting Hoang in the head.

On 07/27/2020, Cotton was transported to Headquarters 7th Floor Interview room #4, advised of his Miranda Right and agreed to speak with Detectives. Cotton stated he goes by the name "Nephew." Cotton was shown a photo of the victim and advised he has never seen him before. Cotton further denied having any knowledge of or taking part in the homicide at Thompson Ave and Askew Ave that occurred on 06/15/2020.

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Printed Name Detective Whitney Thomas # 5679 Signature /S/ Detective Whitney Thomas # 5679

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

Judge

Circuit Court of _____ County, State of Missouri.