

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

<b>POLICE NO. :</b>	KC20071689
<b>PROSECUTOR NO. :</b>	095462706
<b>OCN:</b>	

<b>STATE OF MISSOURI,</b>	)	
	)	<b>PLAINTIFF,</b>
<b>vs.</b>	)	
	)	
<b>JAYVON G HUNTER</b>	)	
<b>640 Nebraska</b>	)	<b>CASE NO. 2116-CR</b>
<b>Kansas City, KS 66101</b>	)	<b>DIVISION</b>
<b>DOB: 09/19/2004</b>	)	
<b>Race/Sex: B/M</b>	)	
<b>██████████</b>	)	
	)	<b>DEFENDANT.</b>

**COMPLAINT**  
**WARRANT REQUESTED**

**Count I. Murder 2nd Degree (565.021-001Y20200903.0)**

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 October 19, 2020, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Cristobal Gutierrez-Castillas by shooting him and defendant is further given notice that should the state submit murder in the second degree - felony under Section 565.021.1(2), it will be based on the death of Cristobal Gutierrez-Castillas as a result of the perpetration of the class A felony of unlawful use of a weapon under Section 571.030.1(9), RSMo, committed by defendant.

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.

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**Count II. Armed Criminal Action (571.015-001Y20205213.0)**

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 October 19, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in 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 deadly weapon.

The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.1, RSMo. is imprisonment by the department of corrections for a term of not less than three years and not to exceed fifteen years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not less than five years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.2, RSMo. as a second offense is imprisonment by the department of corrections for a term of not less than five years and not to exceed thirty years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less than fifteen years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.3, 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 punishment imposed pursuant to Section 571.015, RSMo shall be in addition to and consecutive 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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building, Resulting In Death Or Injury (571.030-015Y20205213.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.030, RSMo, committed the **class A felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about October 19, 2020, in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm at another person Cristobal Gutierrez-Castillas and as a result of the above described conduct, Cristobal

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Gutierrez-Castillas suffered injury or death.

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 (571.015-001Y20205213.0)**

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 October 19, 2020, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count 3, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of unlawful use of a weapon 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 571.015.1, RSMo. is imprisonment by the department of corrections for a term of not less than three years and not to exceed fifteen years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term of not less than five years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of three calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.2, RSMo. as a second offense is imprisonment by the department of corrections for a term of not less than five years and not to exceed thirty years, unless the person is unlawfully possessing a firearm, in which case the term of imprisonment shall be for a term not less than fifteen years. No person convicted under this subsection shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015.3, 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 punishment imposed pursuant to Section 571.015, RSMo shall be in addition to and consecutive 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.

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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. CST Allison Bennett, 1125 Locust, Kansas City, MO 64106
2. [REDACTED] 11, Kansas City, MO  
64106
3. [REDACTED], Kansas City, MO  
64106
4. [REDACTED] Kansas City, MO  
64106
5. PO David V. Ferber, 1125 Locust, Kansas City, MO 64106
6. PO Nathan B. Getman, 1125 Locust, Kansas City, MO 64106
7. SGT Andrew A. Gore, 1125 Locust, Kansas City, MO 64106
8. PO Seco Guhdija, 1125 Locust, Kansas City, MO 64106
9. [REDACTED] 11, Kansas City, MO  
64106
10. Cristobal Gutierrez-Castillas, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas  
City, MO 64106
11. DET Judith M. Harris, 1125 Locust, Kansas City, MO 64106
12. SGT Janice M. Heins, 1125 Locust, Kansas City, MO 64106
13. [REDACTED] 11, Kansas City, MO  
64106
14. PO Andrew E. Keller, 1125 Locust, Kansas City, MO 64106
15. DET Mary J Kincheloe, 1125 Locust, Kansas City, MO 64106
16. CST Eden Kuhn, 1125 Locust, Kansas City, MO 64106
17. CIV Darin Lee, 901 Charlotte St, Kansas City, MO 64106
18. CIV Tiffany Lewis, 1125 Locust, Kansas City, MO 64106
19. [REDACTED] 11, Kansas City, MO 64106
20. CST Ann M. Mallot, 2645 Brooklyn, Kansas City, MO 64127
21. DET Scott P. Mullen, 1125 Locust, Kansas City, MO 64106
22. DET Jacquelyn R. Mutschler, 1125 Locust, Kansas City, MO 64106

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23. DET Hobart D. Price, 1125 Locust, Kansas City, MO 64106
24. PO Kellen E Story, 1125 Locust, Kansas City, MO 64106
25. DET John W. Straubel, 1125 Locust, Kansas City, MO 64106
26. [REDACTED], Kansas City, MO  
64106
27. DET Bradley N. Thomas, 1125 Locust, Kansas City, MO 64106
28. DET Daniel G Thomas, 1125 Locust, Kansas City, MO 64106
29. [REDACTED] 11, Kansas City, MO 64106
30. CIV Robin Wright, 2645 Brooklyn Avenue, Kansas City, MO 64127

**PROBABLE CAUSE STATEMENT FORM**

Date: 11/02/2020

CRN: KC20071689

I, Detective J. Mutschler #5594  
(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 10/19/2020, at 4409 Tracy Ave in  
(Date) (Address)

Kansas City, Jackson Missouri Jayvon Hunter  
(County) (Name of Offender(s))

B/M 09/19/2004 committed one or more criminal offense(s).  
(Description of Identity)

The facts supporting this belief are as follows:

On 10/19/2020 at 1206 hours, Officers were dispatched to 4416 Tracy Ave, Kansas City, Jackson County, Missouri in regard to a reported shooting. Upon their arrival, they observed the victim in front of 4409 Tracy Ave, Kansas City, Jackson County, Missouri suffering from an apparent gunshot wound. After being transported to an area hospital, the victim was later pronounced deceased.

Surveillance video was recovered that captured the entire incident on camera which also included audio. While reviewing the surveillance video, it revealed the suspects arrived on a black moped/scooter from the area of 45th Street and Tracy Ave. The suspects are observed traveling north bound and seen stopping at the intersection of 44th Street and Tracy Ave where they both exit the moped. Both suspects walked on the west sidewalk south bound back towards 45th Street. While they are walking, it appeared as if they were casing the area by stopping and looking at people's property. Both suspects were observed walking back north bound on the west sidewalk until they walked into the roadway towards a silver Chevy Silverado that was parked in front of 4409 Tracy Ave on the east side of the roadway. Suspect 1, later identified as **Jayvon Hunter**, was observed walking up to the truck and appeared to be looking inside. Both suspects walked away from the truck and back to the north when three males were observed walking out from behind 4409 Tracy. While the three males were standing near the truck, a verbal argument was heard. Once the suspects were near the intersection of 44th Street, **Hunter** was heard repeatedly stating "you want to fight, you want to fight" as he removed a firearm from his right jacket pocket and pointed it to the south where the males were standing. Suspect 2, later identified as [REDACTED], also raised his right hand and pointed it south bound in the direction of the males as if he also had a firearm. As this occurred, the three males were observed retreating back to the south appearing to take cover behind the vehicle and a nearby tree. **Hunter** is then heard repeatedly stating "say it, say it". There is an inaudible verbal argument between **Hunter** and the victims. **Hunter** raised his firearm which appeared to have an extended magazine, shoots one time, striking the victim. After the shot, both **Hunter** and [REDACTED] are observed walking back to the south where the victim was lying in the street behind the silver Chevy Silverado. The other two males retreat further and go back to 4409 Tracy. Both **Hunter** and [REDACTED] approached the victim while he was on the ground and **Hunter** is seen going through the victim's pants pocket where he removed an item, later determined to be the victim's cell phone, while [REDACTED] is observed standing behind **Hunter** where he was facing the direction of the other two victims. **Hunter** and the two males continued to talk back and forth while heading back to the moped/scooter. [REDACTED] gets onto the moped first, in the driver's position, and **Hunter** gets on the back of the moped/scooter. Both **Hunter** and [REDACTED] are observed fleeing the scene east bound on 44th Street from Tracy.

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**Hunter** was the short statured black male, wearing a light grey hood pulled up over his head, a grey/black jacket, black pants and black shoes with white soles in the surveillance video.

██████████ was the tall black male wearing a black jacket, black pants, and white shoes with black soles in the surveillance video.

A review of city cameras after the homicide, revealed the suspects traveled south bound on Paseo at Swope Parkway when it appeared one of the suspects threw an unknown item while on the bridge over Brush Creek. A ping of the victim's Cricket cell phone revealed it was in the area where the unknown item appeared to have been thrown. The cell phone was recovered and processed for perishable evidence.

A TIP was received on 10/23/2020 that was updated advising the tipster believed **Jayvon Hunter** and ██████████ could possibly be the suspects involved in the homicide. It was updated to say the suspects drive a gold Suburban.

On 10/28/2020, ██████████ was with ██████. in a gold Ford Expedition when he was arrested for an unrelated warrant.

A computer search which contained photographs, revealed ██████ had pawned a cell phone in a Kiosk inside a Wal-Mart located at 1701 W 133rd Street four days prior to the homicide, 10/15/2020 at 1907 hours. Within the photographs, it appeared K.S. was with other black males.

On 10/29/2020, Detectives reviewed the surveillance video at Wal-Mart located at 1701 W 133rd Street from 10/15/2020 when ██████ pawned a cell phone. While reviewing the surveillance video, ██████ was with two black males that matched the descriptions of the homicide suspects. In the surveillance video, ██████████ was observed to have a taller build wearing a black Nike hoodie, light colored jeans and white shoes with black soles. The shoes appeared to be similar to suspect 2 captured in the homicide surveillance video. **Hunter** was observed to have a short stature wearing a light colored hooded sweatshirt underneath a grey/black jacket, black pants, and black shoes with white soles which appeared to be similar to suspect 1 captured in the homicide surveillance video.

On 10/30/2020, Detectives interviewed ██████████ was provided still photographs from surveillance video obtained from Wal-Mart located at 1701 W 133rd Street. ██████. advised she drove ██████████, and **Jayvon Hunter** to the listed location. ██████. also identified the short stature male wearing a light colored hoodie underneath a grey/black jacket, black pants, and black shoes with white soles as **Jayvon Hunter**.

A Search Warrant was executed on both **Jayvon Hunter** and ██████████ Facebook pages. In a conversation between **Hunter's** Facebook page and ██████████s Facebook page dated 10/19/2020 at 15:42:20 UTC time it was observed **Hunter** asked ██████████ "wya", which Schaeffer replied "Que Shii". ██████████r went on to say "I want to get on sum money". **Hunter** called ██████████ through Facebook on 10/19/2020 at 15:43:13 UTC time and again at 15:44:06 UTC time. At 16:09:04 UTC time ██████████ told **Hunter** "You can started coming", which **Hunter** replied "On my way!"

On 12/03/2020, A Kansas City Police Crime Laboratory Report was completed and advised there was a very strong support, with a statistical analysis of 1 trillion, that Jayvon Hunter is a contributor of DNA obtained from the victim's gray Cricket cell phone.

On 12/09/2020 ██████████ responded to Headquarters where a formal statement was obtained. During the interview, ██████ listened to audio from the surveillance video that captured the incident. ██████. stated the male heard stating "you want to fight" sounded like **Hunter**. ██████. was shown still photographs taken from the surveillance video. While reviewing a still photograph, ██████ identified both **Hunter** and ██████████

Printed Name \_\_\_\_\_ Signature \_\_\_\_\_

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

\_\_\_\_\_  
Judge

Circuit Court of \_\_\_\_\_ County, State of Missouri.