


**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT INDEPENDENCE**

<b>POLICE NO. :</b>	22-002530
<b>PROSECUTOR NO. :</b>	095467847
<b>OCN:</b>	qn0007628

<b>STATE OF MISSOURI,</b>	)	
	)	<b>PLAINTIFF,</b>
<b>vs.</b>	)	
	)	
<b>BRAYDEN A STONE</b>	)	
<b>334 N Leslie Ave</b>	)	<b>CASE NO. 2216-CR</b>
<b>Independence, MO 64050</b>	)	<b>DIVISION</b>
<b>DOB: 12/21/2003</b>	)	
<b>Race/Sex: W/M</b>	)	
	)	
	)	<b>DEFENDANT.</b>

**AMENDED COMPLAINT**  
**WARRANT REQUESTED**

**Count I. Murder 2nd Degree (565.021-001Y20200904.0)**

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 13, 2022, in the County of Jackson, State of Missouri, the defendant with the purpose of causing serious physical injury to Timothy A Phillips caused the death of Timothy A Phillips by shooting him. Defendant is further given notice that should the State submit murder in the second degree-felony murder under section 565.021(2), it will be based on the death of Timothy Phillips as a result of the class B felony unlawful use of weapon under section 571.030.02, RSMo, committed by the 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.

**State vs. Brayden a Stone**

**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 January 13, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the second degree charged in Count One, 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 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 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.

**Count III. Unlawful Use Of Weapon - Subsection 9 - Shoot At/From Motor Vehicle, At Person, Motor Vehicle Or Building (571.030-020Y20205213.)**

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 B felony of unlawful use of a weapon**, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about January 13, 2022, in the County of Jackson, State of Missouri, the defendant, knowingly discharged a firearm from black ford escape, a motor vehicle.

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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**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 January 13, 2022, in the County of Jackson, State of Missouri, the defendant committed the felony of unlawful use of a weapon charged in Count Three, 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 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 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.

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/ Jeremy J. Baldwin

**State vs. Brayden a Stone**

Jeremy J. Baldwin (#62734)  
Assistant Prosecuting Attorney  
321 West Lexington Avenue  
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**WITNESSES:**

1. PO Jeffrey Buck, 223 N. Memorial Drive, Independence, MO 64050
2. DET Stephen Cook, 223 N. Memorial Drive, Independence, MO 64050
3. PO Christina Gaudreau-Ergenbright, 223 N. Memorial Drive, Independence, MO 64050
4. DET Scott Mckee, 223 N. Memorial Drive, Independence, MO 64050

## AMENDED PROBABLE CAUSE STATEMENT

Date: 1/13/2022

Report #: 2022-2530

I, Scott McKee, 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 1/13/2022, at about 1029 hours, Brayden A. Stone, (Race- White, Sex- Male, DOB- 12/21/2003, Address-1919 S. Harvard Avenue, Independence, MO 64052, [REDACTED], committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 01/13/2022 at about 1027 hours Independence Missouri Police Officers were dispatched to 334 N. Leslie Avenue, Independence, Jackson County, where a subject had been shot. When Officers arrived, they located victim Timothy Phillips sitting in his vehicle with multiple gunshot wounds. First aid was given to the victim until EMS arrived.

A witness identified as [REDACTED] stated she was the victim's [REDACTED] and was present when the shooting occurred. [REDACTED] said the suspects fled the scene in a dark colored SUV that had a luggage carrier attached to the rear hitch. The luggage carrier contained objects that were yellow and black in color. [REDACTED] said there were three suspects in the suspect vehicle. This information was broadcasted to assisting officers to be on the lookout for.

[REDACTED] will testify that she was standing and talking to the victim as he was sitting in the driver's seat of his vehicle with the driver's door open. [REDACTED] said she had just hugged the victim and he was about to leave when the suspect vehicle pulled up parallel beside them and stopped. She said the front passenger of the suspect vehicle was a black male named [REDACTED], later identified as [REDACTED]. [REDACTED] got out of the suspect vehicle to confront the victim to fight him. [REDACTED] said she was able to keep them separated and Fulbright got back into the front seat of the suspect vehicle. As this was happening [REDACTED] observed an unknown white male who was sitting in the right rear passenger area of the suspect vehicle rolled his window down and said, "What's up Nigga?" [REDACTED] observed the white male to be armed with a handgun. She said the victim turned as he was still seated in his vehicle so that he was facing the armed suspect at which time the suspect shot the victim multiple times. The suspect vehicle then fled the area south and east on Truman Road. [REDACTED] stated she could identify [REDACTED] and the suspect who shot the victim. She described the shooter as being a young white male, 18 to 22 years old, short and thin, wearing a black beanie on his head.

[REDACTED] stated this all started because she had sent photos of herself to [REDACTED]. She said the victim discovered the photos and the texts to [REDACTED] this morning and became upset. The victim contacted [REDACTED] by phone and told him to come over and fight. [REDACTED] said they did not believe that [REDACTED] would show up to the address, but he did.

During the investigation Detective Cook was familiar with [REDACTED] due to a former federal firearms case. Detective Cook contacted [REDACTED] probation officer who, in turn, contacted [REDACTED]. [REDACTED] told his probation officer that he was currently working at 302 W 29th St. in Higginsville, MO. Detective Cook received this information and contacted Higginsville, MO Police who responded to that address and located [REDACTED] and a black 2017 Ford Escape SUV with a trailer hitch luggage carrier on the property. When [REDACTED] was detained, he was accompanied by two other subjects who were identified as [REDACTED] the owner/operator of the suspect vehicle and Brayden A. Stone who matched the description given by the witness and was wearing a black beanie on his head. All three subjects/suspects were detained by Officer's with the Higginsville MO Police Department until the Independence MO Police/Detectives could arrive and take custody of them. After arriving and taking custody of the suspects Detectives S. Schmidli and J. Clancy transported the three suspects back to our Detention Unit. When suspect Brayden Stone was searched after taken into custody a spent shell casing was found in his pocket. It was identical to the four spent shell casing found at the scene.

The victim was contacted briefly by Detective Burchfield at Centerpoint hospital where he was being treated for his wounds. The victim did not know who shot him but did wish to cooperate and prosecute the suspect(s).

I then contacted Detectives in the Detention Bay and took custody of [REDACTED] at about 1500 hours. I escorted him to a third-floor interview room and informed [REDACTED] of his Miranda Rights by reading them aloud to him. [REDACTED] understood his rights and signed the form. I explained to [REDACTED] my investigation and he initially said he was not involved in a shooting. He said some dude (victim) was talking shit to him and wanted to beat him up. [REDACTED] said he pulled up to the dude and asked him if he wanted to fight. He said the dude pulled out a gun, so he got back into his vehicle, and they took off. He said as they were driving off and gone that's when he heard gun shots. [REDACTED] said he was there to fight a guy named Tim who was [REDACTED] boyfriend. He said [REDACTED] was present when this occurred. [REDACTED] said his brother [REDACTED] took him there to fight. I asked [REDACTED] who was the third guy in the backseat. He said he did not know his name but called him "B", and he has just been working with him for a couple of days. I asked Fulbright who was the backseat passenger in the vehicle he was in, and he would never say, he just said he did not know.

Detective Wyckoff will testify that he interviewed suspect [REDACTED] who stated he was taking his brother [REDACTED] and Billy's friend "B" (Brayden) to work on a house in Higginsville. [REDACTED] stated [REDACTED] asked him to stop at a house so he could see a female, [REDACTED] before they went to Higginsville. [REDACTED] said he took [REDACTED] to [REDACTED] residence in Hocker Heights. He stated that they pulled up in the roadway where [REDACTED] was standing, [REDACTED] exited his car and said, "What's up girl". [REDACTED] stated that he did not pay attention to [REDACTED] was doing after that. [REDACTED] stated that the next thing he knew he heard gunshots. Detective Wyckoff asked [REDACTED] about the gunshots coming from his vehicle. After some thought [REDACTED] agreed that the gunfire did come from the back seat of his vehicle and believed Brayden who was sitting in the back seat was who shot the victim. [REDACTED] stated it was a quite drive to Higginsville after the shooting. [REDACTED] did state that Brayden said, "He had a gun, and he was going to kill your brother." [REDACTED] said he did not know what Brayden did with the gun.

I then interviewed suspect Brayden A. Stone (the DEFENDANT) after first advising him of his Miranda Rights by reading them aloud to him. The DEFENDANT understood his rights and signed the form at 1548 hours. I informed the DEFENDANT why he was in custody, and he agreed to provide a statement. The DEFENDANT initially denied being involved in a shooting or a disturbance. After some time, the DEFENDANT confessed to shooting the victim. The DEFENDANT said the victim had a gun. He said the victim got out of his car and put a magazine in the pistol and racked the slide. The DEFENDANT said the victim pointed the gun at all three of them and he believed the victim was going to kill them all. He said he immediately pulled his gun out of his coat and shot at the victim four or five times. The DEFENDANT said after the shooting they fled to Higginsville, and he threw his gun out the window as they were on the highway. I asked the victim if he owned the gun and to describe it. The DEFENDANT said the gun was a black Glock .40 caliber and he stole it from an unknown female 10 months ago in either Raymore or Raytown Missouri.

The evidence will show that the victim was shot while still sitting in his vehicle. After a search a gun was not found on his person or inside his vehicle.

On 01/15/2022 at 1304 hours IPD was notified that the victim had passed away due to his injuries from being shot multiple times.

Detective Scott McKee 1026

/s/ Detective Scott McKee 1026

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Print Name

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Signature