

State vs. Ahmad R Herring

Count II. Armed Criminal Action (571.015-001Y20205212.0)

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., RSMo, in that on or about May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, 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, to-wit: a sharp object.

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. Kidnapping - 1st Degree (565.110-001Y20201002.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.110, RSMo, committed the **class A felony of kidnapping in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, unlawfully confined Gilberto Gutierrez without his consent for a substantial period for the purpose of holding Gilberto Gutierrez for ransom.

The range of punishment for a class A felony is imprisonment in the custody of the Missouri

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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 (571.015-001Y20205212.0)

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 May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, committed the felony of kidnapping in the first degree charged in Count III, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of kidnapping in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon, to-wit: a sharp object.

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 V. Attempted Kidnapping - 1st Degree (565.110-001Y20201099.1)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Sections 565.110 and 562.012, RSMo, committed the **class B felony of kidnapping in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about May 11, 2021, in the County of Jackson, State of Missouri, the defendant, either acting alone or purposefully in concert with another, attempted to unlawfully confine [REDACTED] without his consent

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for a substantial period for the purpose of holding [REDACTED] for ransom and such conduct was a substantial step toward the offense of kidnapping in the first degree.

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.

Count VI. Armed Criminal Action (571.015-001Y20205212.0)

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 May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, committed the felony of attempted kidnapping in the first degree charged in Count V, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of attempted kidnapping in the first degree by, with and through, the knowing use, assistance and aid of a deadly weapon, to-wit: a firearm.

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 VII. Robbery - 1st Degree (570.023-001Y20201299.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.023, RSMo, committed the **class A felony of robbery in the first degree**, punishable upon conviction

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under Section 558.011, RSMo, in that on or about May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, forcibly stole a cellular phone and a wallet in the possession of [REDACTED], and in the course thereof the defendant and/or another participant in the crime was armed with a deadly weapon, to-wit: a firearm.

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 VIII. Armed Criminal Action (571.015-001Y20205212.0)

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 May 11, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, committed the felony of robbery in the first degree charged in Count VII, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of robbery in the first degree by, with and through, the knowing use, assistance and aid of a [REDACTED]

[REDACTED] 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.

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Count IX. Abandonment Of A Corpse (194.425-001Y20205599.0)

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 194.425, RSMo, in that on or about May 17, 2021, in the County of Jackson, State of Missouri, the defendant, acting alone or purposefully in concert with another, committed the felony of abandonment of a corpse by abandoning, disposing, deserting, and leaving a corpse without properly reporting the location of the body to the proper law enforcement officials in that county

The range punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not to exceed seven (7) years.

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/ Jennifer S Tatum
Jennifer S Tatum (#70789)
Assistant Prosecuting Attorney
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WITNESSES:

1. DET Bonita Y. Cannon, 1125 Locust, Kansas City, MO 64106
2. DET Zakary K. Glidewell, 1125 Locust, Kansas City, MO 64106
3. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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7. DET James H. Price, 1125 Locust, Kansas City, MO 64106
8. DET Ilinca E. Rusnac, 1125 Locust, Kansas City, MO 64106
9. DET Derek M. Sanders, 1125 Locust, Kansas City, MO 64106
10. DET Timothy R Taylor, 1125 Locust, Kansas City, MO 64106
11. [REDACTED]
[REDACTED] 106
12. DET Nathan S. VanVickle, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 03-10-2022

CRN: 21-029965

I, Detective Bonita Cannon, #4585, Kansas City Missouri Police Department
(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 05-11-2021, at 10801 E. Banninster Road in
(Date) (Address)

Kansas City, Jackson Missouri Ahmad R. Herring
(County) (Name of Offender(s))

B/M DOB 04-24-1990 committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 05-11-2021 at 1513 hours officers of the Kansas City Missouri Police Department were dispatched to 10801 E. Bannister Road in regard to a reported missing person. Upon their arrival, they contacted the missing person (victim) daughter. She stated her younger brother called her and asked if she had heard from their father. He told her a friend of their father, contacted him via telephone and asked them to check on their father. stated she then drove home to find her father's vehicle parked in the driveway of the residence, 10801 E. Bannister. The residence also has barn/stables. She was unable to locate her father, in the residence or in the barn/stables.

stated when she went into the barn, she located what appeared to be bloody clothing of her father's as well as what she thought was a black flex cuff (determined to be a zip tie) on the ground next to the clothing. Her father wears a phone holster on his belt. She was unable to locate her father's cell phone. also reported her father's keys missing.

The bloody clothing, boots, a black zip tie and other evidence was recovered from the barn/stables.

During this investigation detectives obtained video surveillance from the address and a city camera. Upon viewing the video footage a Chevrolet registered to Herring was observed passing the address on 05-09-2021 during the same time the victim misses a call from Herring's cell phone. A white Dodge associated to Herring passed by the victim's address once on 05-10-2021 and once on 05-11-2021. A white Kia Rio registered to Herring's wife passed by the victims address multiple times on 05-11-2021. After officers arrive at the address the Kia Rio passes by the scene and does not pass by again.

responded to the victims address and stated sometime around 1100 hours (05-11-2021) he had a very brief conversation with the victim via telephone. He stated he told the victim he wasn't coming by the ranch. He further stated at 1352 hours, received another phone call from the victim's phone. When he answered, he stated he could hear what sounded like the voice of a black male with no accent (who sounded younger than 50 years old but older than 20) begin speaking with him in English. was not able to understand all of what the male was saying, so he handed the phone over to his brother, who spoke a little English while continued to listen. stated that the male on the line told them that they had kidnapped the victim and wanted \$100,000.00 in ransom.

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█ explained that the calls continued for several hours as the person on the other line would hang up after speaking for less than a minute. During the third phone call, █ heard a voice he recognized as being the victim's shouting in the background. The victim shouted in Spanish to call the police and another person's name, but █ could not make out the name.

█ then heard the male on the phone shouting in English and described hearing a second male in the background shouting something else in English as he struck the █ described that he believed the victim was struck because he heard a thump like sound and heard the victim make sounds that he believed were consistent with a person being beaten. █ also did not hear the victim's voice after that.

█ stated that the male on the line asked him what his relationship was to the victim during the phone calls. As the evening progressed, █ continued receiving phone calls, he and his brother began telling the believed kidnapper that they were close to gathering \$20,000. They asked if the victim would be set free for that amount. He stated the kidnapper would not respond and told █ and his brother to keep getting family together so that they can continue gathering more money. █ was in contact with the victim's daughter during this time and was aware that she had notified authorities.

It was determined the first call █ received a BMW was still in the victim's driveway. The last transmission from the victim's cell phone was on 05-11-2021 at 1905 hours. A search warrant was granted for the victim's vehicle, during a search of it a multi-colored hardback notebook was recovered from the front seat of the victim's vehicle which contained contact information for "█ and Ahmad" with 816-786-4073 and 816-402-5046 written beneath the names. In the same notebook above the number for "Rashad" was written "Ashton" with 816-616-9686 written below it. A check of our database revealed Ashton Herring-Clemons, who is Ahmad Herrings brother, with a DOR address of 4047 E. 67th Street, which is approximately 5 minutes from 5414 Hardesty, an address associated to █.

A grey BMW SUV similar to the one observed at the victim's address is viewed on traffic cameras along the same path as the victim's cell phone, after the victim was removed from his home and ransom calls began being placed, locations on 05-11-2021. A grey BMW SUV is also observed on city cameras in the area of 63rd and Zoo Drive which is in close proximity to 4047 E. 67th Street (Herring's parents address) and 5414 Hardesty █ address).

An emergency phone order was obtained along with a search warrant for the victim's cell phone. An FBI analysis of that data revealed the telephone has cell site and a NELOS connections that are consistent with the telephone being in the general area of Swope Park, immediately after the victim's friend █ began receiving ransom phone calls.

The grey BMW SUV was last seen turning northbound onto Hardesty from 63rd Street. Detectives located a residence in the 5200 block of Hardesty that had video surveillance. The grey BMW does not pass the address during a reasonable amount of time the vehicle would have passed, had the vehicle continued north on Hardesty.

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On 05-14-2021 [REDACTED] contacted detectives and advised detectives to contact [REDACTED] in regard to an incident that occurred on the same day as her father was kidnapped. She sent detectives a photograph provided to her by [REDACTED]. The photograph was of a white Dodge Charger bearing Missouri license plate LE1V3L.

[REDACTED] was contacted and stated the following: On 05-10-2021 he was contacted by an unknown male from 816-825-9258 (a cell phone number later determined to be associated to **Herring**). [REDACTED] stated the male caller stated he was a friend of [REDACTED]s and owed money to [REDACTED] (who was out of town). [REDACTED] stated [REDACTED] is his business partner. The male caller wanted [REDACTED] to meet him at 820 E. 93rd Street to pick up the money for [REDACTED] stated he responded to the address on 05-11-2021 at approximately 1100 hours.

[REDACTED] further stated a white Dodge Charger and a blue Nissan pulled into the lot at about the same time. He stated a black male exited the apartment building and got into his ([REDACTED]) vehicle armed with a handgun. The black male pointed the handgun at [REDACTED] and demanded everything he had (wallet and a cell phone). During this time one of the males yelled, "They don't have anything, let's go," before leaving in the Nissan and white Dodge Charger. [REDACTED] stated he took a photograph of the white Dodge Charger. The license plate LE1V3L on the white Dodge Charger responded back as registered to **Herring**'s mother. This is the same Charger seen passing by victim [REDACTED]s house close in time to his kidnapping.

[REDACTED] also stated **Herring** called him from 816-786-4073 on his personal cell phone which was unusual, before and after the Robbery and Attempted Kidnapping [REDACTED] stated he isn't friends with **Herring** (he has only worked with him a couple of times). [REDACTED] stated he contacted [REDACTED] who told [REDACTED] he did not send anyone to meet him. [REDACTED] further stated he exchanged text messages with the 816-825-9258 number.

On 05-14-2021 Ahmad **Herring** (B/M 04-24-1990) was a subject of a car pursuit and was eventually taken into custody and transported to Police Headquarters, 1125 Locust. He was operating a white Dodge Charger bearing Missouri license plate LE1V3L.

Herring was advised of his Miranda Rights. **Herring** stated he fixes houses; he purchased cleaning equipment on the date he was arrested and was going to work prior to being arrested. He further stated the Dodge Charger belongs to him. **Herring** refused to acknowledge the white Kia Rio registered to his wife. **Herring** got upset and requested an attorney. **Herring** initially refused to have his hands swabbed, however consented. **Herring**'s pants had what appeared to be bleach stains near the bottom of his pant legs. **Herring** had a key to a Kia when he was taken into custody.

On 05-14-2021 a search warrant was executed on 4047 E. 67th Street. While doing so [REDACTED] ([REDACTED]) was contacted and she denied any knowledge of ever being in a white Kia Rio. She stated the Dodge Charger belongs to her. Ameristar Casino provided a photograph of her in the white Kia Rio registered to NMH. She stated she remembers a grey BMW SUV being at her address on previous dates and believed the BMW SUV belonged to one of her kids' friends.

Detectives contacted the registered owner of the Kia Rio. [REDACTED] denied ever owning a white Kia Rio. At a later time [REDACTED] stated she does own the Kia Rio; however, it is parked at an unknown location per Herring's family. She stated she doesn't know who in particular parked the vehicle or where it was parked.

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On 05-16-2021 at 0205 hours there was a license plate notification at I-670 and Bartle Hall of the Kia Rio following a vehicle associated to **Herring**'s sister. At 0219 hours KCKFD received a call on a vehicle fire at 202 Greeley Avenue Kansas City, Kansas. The reporting detective responded to that location and observed the Kia Rio bearing license LG4C2G completely burned except for the rear hatch (to include the rear license plate).

On 05-17-2021 a call for service was received at approximately 1045 hours, reporting a dead male wrapped in a tarp at 56th Terrace and Elmwood. Detectives responded and observed a male only clad in underwear, partially covered by a blue plastic drop cloth. The deceased was located between 56th Street and 56th Terrace on Elmwood (a residential area) on the west side of the roadway wrapped in a blue drop cloth. On 05-18-2021 the victim was positively identified. The deceased was in a state of decomposition. His underwear had apparent bleach stains on them. His death was ruled a homicide as a result of several stab wounds, including his thighs, chest and head.

Video surveillance in the area revealed a silver Ford F-150 with unknown license plate. The vehicle was eastbound on 56th Street before heading back west a few moments later between 0922 hours and 0925 hours. The silver Ford was last seen eastbound on 59th and Spruce at approximately 0927 hours.

During an execution of a search warrant on the white Dodge Charger, detectives recovered a receipt from Midland Hardware dated 05-12-2021 for the purchase of 3 blue drop cloths. Containers of bleach, vinegar and ammonia were located in the trunk. The ammonia container was nearly empty. Detectives responded to Midland Hardware and inquired about the item number on the receipt found in the Dodge Charger. Detectives were provided and recovered a blue drop cloth. Several cell phones were also recovered from the Dodge Charger. One of the phones had the number 816-825-9258 and another cell phone had the number 816-786-4073.

Detectives recovered video from the Family Dollar (same as on the receipt dated 05-14-21 at 1047 hours - recovered from the Dodge Charger). Cleaning items were purchased. The clothing **Herring** was wearing when he was taken into custody are visible in the Family Dollar surveillance video, and the white Dodge Charger he was driving was also visible in the video.

█ responded to Police Headquarters. He stated when asked about the date the victim was kidnapped, that no one called him and no one owes him any money. He further stated the victim was a good friend of his. At some point █ stated █ contacted him and told him he █ was robbed and he felt they were trying to kidnap him.

During this investigation a TIP received to inform detectives the victim was taken to 5414 Hardesty, █ address. Further received was █ owned a grey 2012 BMW SUV which he had already sold. The tipster also stated **Herring** and █ were planning to rob the victim and █ took the victim's keys.

During this investigation detectives learned 14530 E. Bannister Road was provided to Probation and Parole for █ address as well as cell phone number 646-345-7678. █ was on GPS ankle monitoring at the same address. On 08-02-2021 detectives conducted a residence check at 14530 E. Bannister Road #105. The reporting detective left a business card at the door. Within a few hours the reporting detective received a telephone call from 646-345-7678. The caller identified himself as █ and provided his date of birth

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and his social security number. [REDACTED] stated he was aware detectives were looking for him and the 14530 Bannister Road #105 was his address. He stated he wanted to inform detectives he was requesting an attorney at that time and anytime in the future.

A search warrant was executed in the shed/garage located on the property of 5414 Hardesty, near the path of the BMW mentioned above. [REDACTED] was contacted at the residence along with [REDACTED]. She stated her [REDACTED] and his friends wanted to breed puppies in the shed/garage. She further stated she wasn't aware there was any construction that occurred on or in the shed/garage. She also stated [REDACTED] drives several vehicles mainly rental vehicles. When asked about [REDACTED] having a grey BMW SUV, She stated that would have been back in March or April.

A black zip tie was recovered from along the north wall of the shed/garage. The zip tie appeared to have been cut on one end. Also observed was that part of the floor of the shed/garage was determined to be newer than the original floor (from appearance and color). The new flooring did not appear to have been done professionally, nor was it completed in a standard form i.e. a square. Detectives noted the edges were rough and not symmetrical. KCFD members stated the concrete in the shed/garage was not done professionally and the concrete was poured in a haphazard way.

In a plastic tub inside of the shed/garage was a pamphlet from the Summit Crossings Apartment complex (14500 Bannister Road) that [REDACTED] previously informed the detective he lived. Also observed was Bank of America information bearing [REDACTED] name. White trash bags of kitchen items were observed next to the plastic tub.

[REDACTED] was taken into custody and advised of his Miranda Rights. He did not appear from his interview to take the interview seriously. When asked about **Herring**-his response was "I plead the 5th." When asked about his previous address, he responded, "I plead the 5th." When asked about the shed/garage floor, [REDACTED] stated his cousin owns a construction business. He stated he did not know anything about work on the shed/garage floor, nor does he have any property in the shed.

When informed we were granted a search warrant for his DNA via a buccal swab, [REDACTED] seemed to get upset. He stated we were not touching him. A few moments later (in the presence of two detention facility officers, a district officer and a sergeant, [REDACTED] calmed down at which time I was able to obtain his buccal swab).

Detectives received a Kansas City Police Crime Laboratory Report with the following results:

- The DNA results provide very strong support that **Herring** is a contributor of DNA from swab of textured side of zip tie, recovered from the barn floor near the victims (GG) clothing. **Herring** is included 600 billion.
- The DNA results provide very strong support of 13 billion for the scenario that GUTIERREZ, GILBERTO is a contributor of blood recovered from the Area West Floor by White Trash Bags in the shed/garage at 5414 Hardesty.
- The DNA results provide very strong support of 1 septillion for the scenario that GUTIERREZ, GILBERTO is a contributor of DNA from swab of textured side of zip tie recovered from in the shed/garage at 5414 Hardesty.
- The zip ties recovered from the barn floor and from **Herring's** vehicle were determined to have several consistent features including-color, locking mechanism, placement of mold stamp and strap end.

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-Regarding the blue drop cloth recovered from around the victim and the blue drop cloth recovered based on the Midland Hardware receipt the lab examiner's opinion- Both cuttings of blue plastic film are associated to the cutting of blue drop cloth recovered from Midland Hardware based off of the receipt recovered from **Herring's** vehicle) based upon comparison of chemical properties obtained by Py-GC/MS analysis. (Level IV Association). This level of association is based only on Py-GC/MS analysis; therefore, it is a limited analysis.

The case detective monitored jail calls of **Herring** while he was in custody. During the time **Herring** was in DOC he and [REDACTED] exchanged several emails. The content of the emails was about money owed to [REDACTED], **Herring** lying to [REDACTED] and loyalty.

The case Detective is requesting an arrest warrant in lieu of a summons for the listed offender as the circumstances of the crime was violent in nature. "**Herring**" has had prior contacts with law enforcement Officers and is currently on Parole for 1st Degree Manslaughter.

In light of the recent incident and his recent conduct the case Detective believes the offender is a danger to himself and the public.

Printed Name Det. Bonita Cannon, #4585 Signature /s/Det. Bonita Cannon, #4585

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

Judge

Circuit Court of _____ County, State of Missouri.