

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	22-023590
PROSECUTOR NO. :	095469219
OCN:	

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
)	
DARREL M MAGGARD)	
13825 E 35th St Court S)	CASE NO. 2216-CR
Independence, MO 64055)	DIVISION
DOB: 08/19/1987)	
Race/Sex: B/M)	
)	
)	DEFENDANT.

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 April 14, 2022, in the County of Jackson, State of Missouri, the defendant with the purpose of causing serious physical injury to George Richard Dale caused the death of George Richard Dale by shooting 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.

Count II. Armed Criminal Action (571.015-001Y20205299.0)

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, 571.015.2, RSMo, in that on or about April 14, 2022, in the County of Jackson,

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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 on or about January 24, 2008, in 16th Circuit Court Jackson County, Missouri, the defendant was convicted of the offense of armed criminal action.

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 Possession Of A Firearm - Dangerous Felon (571.070-002Y20205212.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 571.070, RSMo, committed the **class C felony of unlawful possession of a firearm**, punishable under Sections 558.011 and 558.002, RSMo, in that on or about April 14, 2022, in the County of Jackson, State of Missouri, the defendant knowingly possessed a Glock 9mm caliber handgun , a firearm, and on January 24, 2008, the defendant was convicted of the felony of robbery in the first degree, a dangerous felony as defined in Section 556.061, RSMo, in the 16th Circuit Court of Jackson County, Missouri.

The range punishment for a class C felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years and not to exceed ten (10) years; or by a fine not to exceed ten thousand dollars (\$10,000); or by both imprisonment and a fine. If money or property has been gained through the commission of the crime, any fine imposed may be not more than double the amount of the offender's gain from the commission of the crime.

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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/ Jeremy J. Baldwin
Jeremy J. Baldwin (#62734)
Assistant Prosecuting Attorney
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WITNESSES:

1. DET Steven Breshears, 223 N. Memorial Drive, Independence, MO 64050
2. George Richard Dale, 3447 Kensington, Kansas City, MO 64128
3. PO Christopher Jenne, 223 N. Memorial Drive, Independence, MO 64050
4. [REDACTED]
5. [REDACTED]
6. DET Jeffery Pagel, 223 N. Memorial Drive, Independence, MO 64050

PROBABLE CAUSE STATEMENT

Date: 4/15/2022

Report #: 22-23590

I, Steve Breshears, 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 4/14/2022, at 1104 Hours, DARREL M. MAGGARD, (Race- B, Sex- M, DOB- 08/19/1987, Address-13825 E 35TH ST CT S. Independence, MO 64055, [REDACTED], committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 4/14/22 around 1104 hours Independence Police Officers were dispatched to Cargo Largo Store east parking lot at 13900 E 35th St. S on a medical suspicious call. Upon arrival officers located [REDACTED] with his silver Nissan Altima. George R. Dale was inside the car in the front passenger position. Mr. Dale was obviously deceased with multiple apparent gunshot wounds.

[REDACTED] told officers he had just arrived in the parking lot after Mr. Dale had been shot inside the car around 13825 E 35th St. Ct. S.

On 4/14/22 around 1200 hours Detective Pagel and Detective Breshears interviewed [REDACTED] at police headquarters.

[REDACTED] said he drove to Independence to an address he knew, that was later revealed to be 13825 E 35th St Ct. S. He said he was driving and was with his friend, Mr. Dale. [REDACTED] said he knew George R. Dale as "Rick.". He said they drove to this address to meet Darrel Maggard who owed Mr. Dale fifty dollars. [REDACTED] said he also collected owed money from Darrel Maggard via a Cash App application and had talked to him on the phone number 816-782-9275.

[REDACTED] said when they arrived Mr. Maggard was waiting outside for them. He said he was wearing a white tank top and yellow shorts. [REDACTED] said Mr. Dale opened his passenger door and was going to get out but ended up staying inside the car. [REDACTED] said he stayed inside the car too and they both talked to Mr. Maggard through the driver's side window.

[REDACTED] said Mr. Dale started an argument with Mr. Maggard, demanding he pay him an owed fifty dollars. He said Mr. Dale told Mr. Maggard he was going to fist fight him over the debt. [REDACTED] said Mr. Maggard attempted to pay the debt with "a bag of weed" [REDACTED] said Mr. Maggard then pulled a handgun from his pants waistband and fired four or five shots through the cab of the car, across [REDACTED], and struck Mr. Dale.

[REDACTED] said he was surprised and terrified by the shooting and immediately fled the area. He said he drove north and was so scared by the incident he considered jumping out of the car but continued to drive to the Cargo Largo store parking lot at 13900 E 35th St. where he stopped and waited on police and emergency medical services.

Detectives showed [REDACTED] a photo array of six subjects. [REDACTED] viewed the photos and circled, initialed, and indicated that the subject in position number five was the person that shot Mr. Dale. The person in photo number five was Darrel M. Maggard

Mr. Dale was obviously deceased in the passenger side of the car with multiple gunshot wounds to the head and neck area.

Det. Wyckoff contacted [REDACTED] of Darrel Maggard and [REDACTED] at the residence of [REDACTED] E 35th St Ct S. [REDACTED] advised they had a Ring Camera System and provided Det. Wyckoff with video clips of Darrel walking in and out of the house prior to the shooting. The camera provided is located inside the house and points out towards the driveway. The camera periodically moves and points into the living room. In the video provided, the time stamp shows to be between 1000 and 1045 hours. Six video clips were obtained but were only 10-20 seconds in length. In the video, Darrel Maggard can be seen with an item in his waist band that appears to be a handgun. The video's made available to Detectives do not show the incident. but they do show the Nissan backed into the driveway of the residence.

They also show Darrel preparing what appears to be a small bag of Marijuana inside the house. [REDACTED] stated Darrel Maggard called her, and she picked him up from 40th St and Chrysler Ave, and then drove him to 63rd St and Raytown Rd where she dropped him off at a Shell gas station.

The investigation revealed that Mr. Maggard was on probation through Jackson County and was being monitored by an ankle bracket monitoring device. Detective Pagel contacted Amber Ledbetter who was able to obtain GPS locates of the monitor, and stated Darrel left his residence of 13825 E. 35th St Ct S at 1054 hours and traveled to the area 40 Hwy and Chrysler at speeds of 10-15 miles per hour, consistent with a 4-wheeler. Amber stated the monitor remained at the same location for approximately 15 minutes, and then left the area at vehicle speeds (30-60 mph). Amber advised the monitor then showed to have been cut off and dropped around I-70 and I-435 at 1134 hours. Det. Coale was able to locate the 4-wheeler at an apartment complex at 40th St & Chrysler Ave in Independence. Sgt. Randall and Det. Harder located the ankle monitor on the ramp from WB I-70 to SB I-435.

Surveillance recovered from directly across the street from 13825 E 35th St Ct S showed [REDACTED] backed into Mr. Maggard's driveway in a Silver Nissan Altima. The footage shows Mr. Dale briefly exit the passenger side of the car and meet with Mr. Maggard behind the car before Mr. Dale reenters the passenger side. The footage shows Mr. Maggard leaning into the driver's side window of the car and appears to be conversing. The footage then shows Mr. Maggard drawing and firing his handgun into the car where he apparently shoots and hits Mr. Dale multiple times. The footage then shows Mr. Maggard walk back into 13825 E 35th St Ct S while Mr. Sanders drives away from the scene. While driving away Mr. Sanders slows and appears to attempt to pull Mr. Dale further inside the car as he his partially hanging out of the open passenger door.

The IPD crime scene unit and detectives served a search warrant and processed the scene of 13825 E 35th St Ct S. On assault style rifle, one assault style handgun and one Glock 9mm caliber handgun with an extended magazine were located inside the residence. Ammunition was also located and recovered for each gun including 9mm Luger ammunition for the Glock gun. A search warrant was also served on the Silver Nissan Altima where Mr. Dale was shot. Five spent 9mm Luger shell casings were recovered from inside the car. NIBIN test firing was conducted on the Glock handgun at IPD headquarters. Shortly thereafter, NIBIN results were received, and it was determined that the Glock handgun located inside Mr. Maggard's residence was the same handgun used in the shooting of George Dale.

On 1/24/2008 Mr. Maggard was found guilty by the Jackson County Circuit Court on three counts of robbery 1st degree and sentenced to 12 years in prison and three counts of Armed Criminal Action and sentenced to 3 years in prison. He is a Missouri convicted felon.

Detective Steve Breshears

/s/ Steve Breshears

Print Name

Signature