

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	240101449
PROSECUTOR NO. :	095478038
OCN:	

STATE OF MISSOURI,

PLAINTIFF,

VS.

LARRY D ACREE

1111 N Elsea Smith Rd

Independence, MO 64056

DOB:

Race/Sex: W/M

S.S.N.:

DEFENDANT.

CASE NO. 2416-CR

DIVISION

COMPLAINT
WARRANT REQUESTED

Count I. Murder 1st Degree (565.020-001Y20200907.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant, after deliberation, knowingly caused the death of Drexel Mack by shooting him, and that the defendant was eighteen years of age or older at the time of the offense.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

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, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first 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 first 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. Murder 1st Degree (565.020-001Y20200907.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.020, RSMo, committed the **class A felony of murder in the first degree** punishable upon conviction under Section 565.020, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant, after deliberation, knowingly caused the death of Cody Allen by shooting him, and that the defendant was eighteen years of age or older at the time of the offense.

The offense of murder in the first degree is a class A felony, and, if a person is eighteen years of age or older at the time of the offense, the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor. If a person has not reached his or her eighteenth birthday at the time of the commission of the offense, the punishment shall be as provided under Section 565.033, RSMo.

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 (571.015-001Y20205299.0)

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, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant committed the felony of murder in the first degree charged in Count Three, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of murder in the first 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 V. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim (565.050-001Y20201310.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.050, RSMo, committed the class A felony assault in the first degree, punishable upon conviction under Sections 558.011, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [REDACTED] by shooting [REDACTED]

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 VI. 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, RSMo, in that on or about on or about February 29, 2024, in the County of Jackson, State of Missouri, the defendant committed the felony of assault in first degree charged in Count Five, all allegations of which are incorporated herein by reference, and the defendant committed the foregoing felony of assault in the first 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.

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

State vs. Larry D Acree, Case No.

Jackson County, Missouri
by,

/s/ Jeremy J. Baldwin
Jeremy J. Baldwin (#62734)
Assistant Prosecuting Attorney
321 West Lexington Avenue
Independence, MO 64050
(816) 881-4592
jbaldwin@jacksongov.org

WITNESSES:

The State's witnesses as of 3/1/2024 are included on the "State's Witness List" filed contemporaneously with this Complaint.

MISSOURI STATE HIGHWAY PATROL
AMENDED
PROBABLE CAUSE STATEMENT

STATE OF MISSOURI }

MISSOURI STATE HIGHWAY PATROL

COUNTY OF JACKSON }

CFS # 240101449

DATE: March 1, 2024

OCN:

I, Corporal T. I. Goolsby, 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 Larry Dean Acree, on 02/29/2024, at 1111 N. Elsea Smith Road, Independence, Jackson County, Missouri, committed the offense(s) listed below:

565.020 Murder, First Degree

565.020 Murder, First Degree

565.050 Assault, First Degree

2. State the facts that support a finding of probable cause to believe crime(s) was/were committed and that the accused committed the crime(s):

On February 23, 2024, at approximately 1140 hours, Victim 1, Jackson County Missouri Department of Civil Process affixed a "NOTICE TO VACATE" at the property listed as Property 18-400-01-34-00-0-00-000, further identified as 1111 N. Elsea Smith Road, Independence, Jackson County, Missouri. According to documentation, this notice was posted in a conspicuous place on the dwelling of the premises. The notice was a result of a request for a "Writ of Possession," which was issued on February 16, 2024 with a court-issued completion date of "on or before March 2, 2024." The notice to vacate relates back to a delinquent tax sale of the property from 2022. On May 23, 2022 the defendant had been sent a last notice of delinquent tax on the property. A petition was filed by Jackson County on May 23, 2022. A Circuit Judge with the 16th Judicial Circuit issued a Judgment of Foreclosure of Liens for Delinquent Land Taxes on September 22, 2022. Notice to the delinquent owner was issued on September 26, 2022. Then on June 13, 2023, notice of sale was sent to delinquent owner of the property that a sale was to be conducted on August 14, 2023. On November 20, 2023, a Circuit Judge with the 16th Judicial Circuit issued a Judgment – Confirmation approving the sale of the property to the new owners.

The "NOTICE TO VACATE" was followed up on February 29, 2024. Civil process server Victim 1, Witness 1, along with Witness 2, arrived at the 1111 N. Elsea Smith Road address to physically evict persons and property. Witness 1 and Victim 1 utilized tools to remove a padlock from the gated drive.

Victim 1, Witness 1, and Witness 2 approached the front door of the residence. After knocking and announcing their presence, they received no answer at the front door or any indication that the residence was occupied. The door of the residence was locked, and after receiving no response to their knocking and announcing, the property maintenance contractor drilled out the lock on the front door. Victim 1 and Witness 1 entered the residence. Upon entering the residence, gunfire came from within. Victim 1 was struck by the gunfire and fell onto the floor immediately inside the front door of the residence.

Witness 1 retreated and requested assistance. Officers with the Independence Police Department responded. Upon their arrival, three Independence Police Officers entered the residence and attempted to retrieve Victim 1, when additional gunfire came from inside the residence. Witness 1 observed an Independence Police Officer (Victim 2) being struck in the head by the gunfire, and a second Independence Police Officer (Victim 3) was struck in his torso by gunfire coming from inside the residence. Officers returned fire at the suspect.

At approximately 1329 hours, after the arrival of additional officers, the suspect was taken into custody. The suspect was identified as Larry Dean Acree. All victims were evacuated from the residence and transported to Centerpoint Medical Center, in Independence, Missouri, for medical treatment. Victim 1 and Victim 2 were subsequently pronounced deceased. Victim 3 sustained a gunshot wound to the abdomen and other injuries to the arms and face. Victim 3 was taken to surgery and is expected to survive their wounds.

/s/ Travis I. Goolsby

Signature

03/01/2024

Date