

FILED

13-Jul-2024 02:01

CIRCUIT COURT OF
JACKSON COUNTY, MO

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

POLICE NO. :	KC24051216
PROSECUTOR NO. :	095479808
OCN:	

STATE OF MISSOURI,	)	
	)	
PLAINTIFF,	)	
vs.	)	
	)	
RICHARD M GUERRERO	)	
1912 SHEARER RD	)	CASE NO. 2416-CR
KANSAS CITY, KS	)	DIVISION
DOB: [REDACTED]	)	
Race/Sex: H/M	)	
S.S.N.: [REDACTED]	)	
DEFENDANT.	)	

COMPLAINT
WARRANT REQUESTED

**Count I. Murder 2nd Degree - Felony Murder - During Perpetration/Attempted
Perpetration/Flight From Perpetration Of A Felony, A Person Dies (565.021-
003Y20200999.0)**

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 on or about June 29, 2024, in the County of Jackson, State of Missouri, [REDACTED] was killed by being shot as a result of the perpetration of the Class A Felony of Unlawful Use of a Weapon under Section 571.030(9), RSMo, committed by the defendant on or about June 29, 2024, in the County of Jackson, State of Missouri.

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 (571.015-001Y20205213.0)

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 on or about June 29, 2024, in the County of Jackson, State of Missouri, the defendant 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.

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, 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 in violation of Section 571.030.1(9), 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 June 29, 2024, at [REDACTED], in the County of Jackson, State of Missouri, the defendant, knowingly shot a firearm from a Chevrolet Malibu, a motor vehicle, and, as a result of the above described conduct, [REDACTED] 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 on or about June 29, 2024, in the County of Jackson, State of Missouri, the defendant committed the felony of Unlawful Use of a Weapon

charged in Count III, 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 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/ Lauren Whiston

Lauren Whiston (#66185)
Assistant Prosecuting Attorney
415 E 12th Street, Floor 11
Kansas City, MO 64106
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WITNESSES:

The State's witnesses as of 7/13/2024 are included on the "State's Witness List" filed contemporaneously with this Complaint.

PROBABLE CAUSE STATEMENT FORM

Date: 07/13/2024

CRN: 24-051246

I, Det. W. Bolen #50029, Kansas City Missouri Police Department, Homicide Unit
(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 06/29/2024, at ██████████ in
(Date) (Address)

Kansas City, Jackson County Missouri Richard M. Guerrero, ██████████
(County) (Name of Offender(s))

H/M committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 06/29/2024 at 1926 hours, officers with the Kansas City Missouri Police Department were dispatched to ██████████ in Kansas City, Jackson County, Missouri in regard to a shooting. Upon arrival, officers located the victim in the driver seat of a black Acura sedan suffering from an apparent gunshot wound to the back of his head. Officers removed the victim from the car and rendered aid until KCFD EMS personnel responded to the scene and transported the male to a local hospital. The victim as declared deceased at the hospital on 07/01/2024.

Officers contacted witnesses on scene who stated they were walking in the area and heard cars honking. They observed the driver of a black Acura sedan in an argument with another vehicle. The witnesses then heard what sounded like two gunshots. The Acura then began to slowly roll, until it crashed into a wall of the outdoor seating area of the La Bodega Mexican Restaurant.

Witness 3 stated the following to detectives during a formal interview: He was stopped at a red light on Southwest Blvd near La Bodega. he observed a dark color Chevrolet sedan and another black car stop at the red light as well. The driver of the black car (the Acura) made a U-turn and came to a stop near the Chevrolet. The driver of the Chevrolet stuck their elbow out of the window. Witness 3 then heard two apparent gunshots. The driver of the Acura flinched, then began to slowly roll until crashing into the wall at La Bodega. The Chevrolet then drove away from the scene northbound. Detectives showed a picture of a Chevrolet Malibu from security camera footage of the incident, and Witness 3 stated that was the vehicle he was describing.

Detectives obtained a search warrant to process the victim's car for evidence. During the search of the vehicle, no weapon was located.

Detectives responded to Southwest Blvd on 07/02/2024 to check for security camera footage. Security camera footage from ██████████ showed two black vehicles driving at a high rate of speed. The Acura appeared to be chasing a Chevrolet sedan. Detectives were able to find additional cameras which showed the Chevrolet drive northbound on West Pennsylvania Ave, then west on West Pennway St, then northbound on Washington

PROBABLE CAUSE STATEMENT FORM

CRN 24-051216

St, then westbound on W 17th St. A security camera mounted to the building at the intersection of W 17th St and Madison Ave showed the license plate on the Chevrolet. The license plate was determined to be [REDACTED] out of Kansas. The registered owner of the vehicle was Richard M. Guerrero. Detectives issued an advisory file for the vehicle, and asked that if patrol officers located the vehicle, notify detectives. On 07/12/2024 at 1749 hours, detectives received a call from Johnson County, Kansas deputies and Kansas Highway Patrol Troopers notifying them that they located the vehicle driving on I-35 Hwy near 67th St in Merriam, Kansas. Detectives responded to the location, and verified that the vehicle they stopped was in fact the Chevrolet Malibu seen in the security camera footage. Troopers and deputies had the driver, Richard M. Guerrero detained. Detectives escorted Guerrero to their police vehicle for a formal interview.

Detectives verified Guerrero's identifying information via his Kansas driver's license. Guerrero was read his Miranda Rights, and he stated he understood his rights. Guerrero stated the following during a formal interview with detectives: On 06/29/2024, he was driving his Chevrolet Malibu on Southwest Blvd, and a friend was in the passenger seat. As they drove by the QuikTrip on Southwest Blvd, a black Acura pulled up next to them, the driver of the car (the victim) began to yell at Guerrero and make signs with his hands. The victim then began to "chase" Guerrero northbound on Southwest Blvd. The victim threw water bottles at Guerrero's car. They came to a stop at a light near La Bodega. The victim again threw a water bottle at Guerrero's car. The victim yelled at Guerrero, and made more signs with his hands. Guerrero felt threatened, and retrieved a 9mm handgun from the center console of his vehicle. He then fired one shot at the victim, then fled the scene, and went home to Kansas City, Kansas. Guerrero stated that he never saw the victim in possession of a weapon during the altercation, and a search of the victim's vehicle revealed no weapon.

I request a warrant be issued and a bond associated with the warrant for the following factors: Guerrero acted erratically when he utilized deadly force during a verbal altercation with the victim.

Printed Name Det. W. Bolen #50029 Signature /S/ Det. Bolen #50029

The Court finds probable cause and directs the issuance of a warrant this 13th day of July, 2024.

SIGNED BY JUDGE

*This is a redacted public document. The original
unredacted document bears the Judge's signature.*

Judge

Circuit Court of Jackson County, State of Missouri.