

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

POLICE NO. :	25-004120
PROSECUTOR NO. :	095484693
OCN:	

FILED DIVISION 28 02-Jun-2025 13:06 CIRCUIT COURT OF JACKSON COUNTY, MO BY <u>Jeffrey C. Keal</u> DCA
--

STATE OF MISSOURI,

PLAINTIFF,

vs.

THOMAS E. TOLBERT

3103 E 76th Terr.

Kansas City, MO 64132

DOB: [REDACTED]

Race/Sex: B/M

S.S.N.: [REDACTED]

DEFENDANT.

CASE NO. 2516-CR

DIVISION

COMPLAINT
WARRANT REQUESTED

**Count I. 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 June 1, 2025, in the County of Jackson, State of Missouri, the defendant knowingly caused serious physical injury to [REDACTED] 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, RSMo, in that on or about on or about June 1, 2025, in the County of Jackson, State of Missouri, the defendant committed the felony of assault in first degree charged in Count One, 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.

Count III. Unlawful Possession Of A Firearm (571.070-004Y20245212.0)

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 June 1, 2025, in the County of Jackson, State of Missouri, the defendant knowingly possessed a 10mm handgun, a firearm, and on April 30, 2021, the defendant was convicted of the felony of unlawful use of a weapon in the 16th Circuit Court of Jackson County, Missouri.

The range of 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.

Count IV. Resisting Arrest/Detention/Stop By Fleeing - Creating A Substantial Risk Of Serious Injury/Death To Any Person (575.150-002Y20204801.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 575.150, RSMo,

committed the **class E felony of resisting a lawful detention**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about on or about June 1, 2025, in the County of Jackson, State of Missouri, On [REDACTED] enforcement officer, was attempting to make a lawful detention of defendant, and the defendant knew that the officer was making a lawful detention, and, for the purpose of preventing the officer from effecting the detention, resisted the detention of defendant by fleeing from the officer and defendant fled in such a manner that created a substantial risk of serious physical injury or death to [REDACTED] in that defendant ran from [REDACTED] and fired a weapon multiple times at [REDACTED]

The range punishment for a class E felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than one (1) year and not to exceed four (4) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; 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.

Count V. Domestic Assault - 2nd Degree (565.073-003Y20201399.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.073, RSMo, committed the **class D felony of domestic assault in the second degree**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about June 1, 2025, in the County of Jackson, State of Missouri, the defendant knowingly caused physical injury to [REDACTED] by strangling [REDACTED], and [REDACTED] and defendant were family or household members in that [REDACTED] and the defendant had a child in common.

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 less than one (1) year and not to exceed seven (7) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; 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.

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.

MELESA N. JOHNSON
Prosecuting Attorney

State vs. Thomas E. Tolbert, 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 6/2/2025 are included on the "State's Witness List" filed contemporaneously with this Complaint.

Instructions for Officer Serving Warrant

This cover sheet is for law enforcement use only and shall be served with the warrant on the defendant. This is a confidential document as it contains personal identifying information. The Officer's Return must be completed on the warrant and returned to the court. Do not return this cover sheet when filing the Officer's Return with the court.