



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

FILED
DIVISION 2

25-Aug-2025 09:36

CIRCUIT COURT OF JACKSON COUNTY, MO

BY *Angela Shwen*

Judge or Division: KENNETH R GARRETT III		Case Number: 2416-CR00381-01	
		Offense Cycle No.: WN000081	
State of Missouri		Prosecuting Attorney: JOSEPH RICHARD MARQUEZ	
Defendant: BYRON D KITCHEN		Defense Attorney: ALLISON YOUNG	
DOB: [REDACTED]	SSN: [REDACTED]	SEX: M	(Date File Stamp)

Guilty Plea/Judgment
Deferred Sentencing Hearing
Sentence to DOC - No Probation

On AUGUST 25, 2025 this matter comes on for hearing. The State appears by Assistant Prosecuting Attorney, JOSEPH RICHARD MARQUEZ. Defendant appears in person and by attorney, ALLISON YOUNG.

This matter was submitted to the court on MAY 1, 2025. The Defendant was found guilty beyond a reasonable doubt of the following offense(s):

Count	Charge Code & Description	Charge Level	Date Of Offense
1	579.068-002Y20203599.0 Trafficking Drugs - 2nd Degree	Felony B	18-JAN-2024
2	571.070-001Y20205299.0 *Disc-Unlawful Possession Of F	Felony D	18-JAN-2024

A Sentencing Assessment Report was ordered and is on file.

The Court asked Defendant whether there is any legal cause to show why judgment and sentence should not be pronounced. No sufficient cause to postpone sentencing being shown or appearing to the Court, the Court proceeds with sentencing.

The Court, having considered the evidence and arguments of counsel, along with other relevant factors, makes the following findings and enters the following orders:

IT IS ORDERED AND ADJUDGED Defendant is sentenced and committed to the custody of the Missouri Department of Corrections - Division of Adult Institutions for imprisonment for the following term as set out below.

Count	Charge Code & Description	Charge Level	Date of Offense	Term	Cons/Conc
1	579.068-002Y20203599.0 Trafficking Drugs - 2nd Degree	Felony B	18-JAN-2024	7 Years	Concurrent
2	571.070-001Y20205299.0 *Disc-Unlawful Possession Of F	Felony D	18-JAN-2024	7 Years	

IT IS ORDERED AND ADJUDGED that count 1 and 2 run concurrent.

IT IS ORDERED AND ADJUDGED Defendant is given credit for all time served on the charge(s) herein.

After announcing the judgment and orders of the Court, the Court again examined the Defendant regarding effective assistance of counsel. The Court finds no probable cause to believe that Defendant has been inadequately or ineffectively assisted by counsel.

The Court advised the Defendant of their right to post conviction relief pursuant to Criminal Rule 24.035.

IT IS ORDERED AND ADJUDGED that the State of Missouri recover from the Defendant the sum of \$68.00 for the Crime Victims' Compensation Fund.

IT IS ORDERED AND ADJUDGED that pursuant to Section 43.503.6 RSMo, **Defendant is to submit to fingerprinting if the offense cycle number (OCN) is not noted in the case style.** The law enforcement agency completing the fingerprinting of Defendant shall secure all such photographs or identifying information necessary to fully complete all portions of the standard fingerprint card, and shall submit the fingerprints and identifying information to the Missouri Central Records Repository within ten (10) days. The law enforcement agency shall also provide the Clerk of the Court with the offense cycle number associated with this case.

IT IS ORDERED AND ADJUDGED Defendant shall pay court costs as provided by law.

IT IS ORDERED AND ADJUDGED the Defendant is remanded to the custody of the sheriff for safekeeping and to await transport to the Missouri Department of Corrections. The sheriff is authorized one additional officer/guard to transport Defendant to the Department of Corrections.

SO ORDERED:

August 25, 2025

Date



KENNETH R GARRETT III, Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was duly delivered on AUGUST 25, 2025, to:

JOSEPH RICHARD MARQUEZ, Assistant Prosecuting Attorney
ALLISON YOUNG, Attorney for Defendant
State Board of Probation & Parole
Jackson County Dept. of Corrections
Missouri Department of Corrections
Criminal Records



Judicial Administrative Assistant