

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

Police# 16-064661
Prosecutor# 095435995
1716-CR 00143 Q.A.
OCN# B2064841

2016 JUN 12 PM 1:43

COMPLAINT

STATE OF MISSOURI

vs.

Keith L. Carnes
5509 Woodland
Kansas City, MO 64132
DOB: 09/21/1989; Race/Sex: B/M;
SS# [REDACTED]

Defendant.

Count I. Involuntary Manslaughter 1st Degree (565.024-001Y19840909.0)

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 565.024, RSMo, committed the **Class C Felony of Involuntary Manslaughter in the First Degree**, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about August 30, 2016, in the County of Jackson, State of Missouri, the defendant recklessly caused the death of Patrick Mercer by operating a motor vehicle at an excessive rate of speed and failing to stop at a traffic signal, and colliding with a vehicle in which Patrick Mercer was an occupant.

Defendant is a prior and a persistent offender and is punishable by sentence to an extended term of imprisonment under Sections 558.016 and 557.036 in that he has pleaded guilty to been found guilty of two or more felonies committed at different times. The felonies are as follows:

1. On or about December 9, 2008, the defendant pleaded guilty to the felony of Possession of a Controlled Substance in Case No. 0816-CR04648-01 in the Circuit Court of Jackson County, Missouri.
2. On or about February 14, 2014, the defendant pleaded guilty to the felony of Assault in the Second Degree in Case No. 1316-CR00746-01 in the Circuit Court of Jackson County, Missouri.

The facts that form the basis for this information and belief are contained in the attached statement(s) of facts, made a part hereof and submitted as a basis upon which this court may find the existence of probable cause.

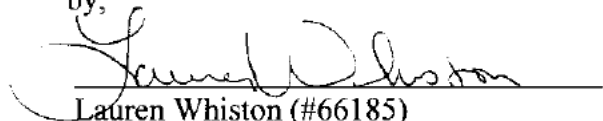
Wherefore, the Prosecuting Attorney prays that an arrest warrant be issued as provided by law.

JEAN PETERS BAKER

Prosecuting Attorney

Jackson County, Missouri

by,



Lauren Whiston (#66185)

Assistant Prosecuting Attorney

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Kansas City, Missouri 64106

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WITNESSES:

DET Kurtis J. Anderson , 1125 Locust, Kansas City, MO 64106

PO Jernisha Cann , , ,

Patrick B. Mercer , Prosecuting Atty. Office, Kansas City, MO 64106

PO Matthew C. Phelps , 1125 Locust, Kansas City, MO 64106

DET Kevin D. Richardson , 1125 Locust, Kansas City, MO 64106

PO Romell F. Richardson , 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 10-19-2016

CRN: 16-064661

I, Det. K. Richardson #4290

(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 08-30-2016, at E. 63rd Street & Prospect Ave. in

Kansas City, Jackson Missouri, Keith L. Carnes B/M 09-21-1989

(County)

(Name of Offender(s))

(Description of Identity)

committed one or more criminal offense(s).

Vehicular Manslaughter/ Assault/ Careless Driving/ DUI

The facts supporting this belief are as follows:

On 08-30-2016 at 2032 hours, Kansas City Missouri Police Officers were dispatched to E. 63rd Street & Prospect Ave, Kansas City, Jackson County, Missouri in regard to a fatality crash. Investigation revealed the crash involved three vehicles. Vehicle #1 was determined to be a red 2008 Pontiac G6, which was being driven by KEITH L. CARNES B/M 09-21-1989. Vehicle #2 was determined to be a black 2003 Dodge Ram pick-up, which was being driven by Patrick B Mercer, who was pronounced dead shortly after arriving at an area hospital. Vehicle #3 was determined to be a green 1996 Nissan Quest Van, which was being driven by Delphine K Sydnor, who suffered minor injuries as a result of the crash.

Detective Anderson and I, responded to the scene. While at the scene, I obtained statements from multiple witnesses who advised CARNES was driving southbound on Prospect Ave at a high rate of speed. Mr. Desmond Logan (Witness) estimated CARNES was operating the vehicle over 100 MPH, southbound on Prospect at 59th Street. Mr. Logan further stated when CARNES vehicle passed him driving southbound on Prospect, it shook the cars around him. Mr. Logan observed the traffic signal (southbound) to be red when CARNES got to the intersection of 63rd Street and Prospect Ave. Another witness (Mr. Troy Campbell) I contacted at the scene stated, CARNES drove into the left turn lane, southbound on Prospect at 63rd Street, at a high rate of speed, to avoid other cars stopped at the intersection. Mr. Campbell observed CARNES fail to stop at the red light driving southbound on Prospect from the left turn lane. Formal statements were obtained from the above listed witnesses.

Detective Anderson obtained a formal statement from Driver #3, Delphine Sydnor. Mrs. Sydnor was contacted at the scene. She stated she was driving her Nissan Van eastbound on E. 63rd Street at Prospect Ave. As she approached that intersection she had a green traffic light and she proceeded into the intersection from the outside lane. Mrs. Sydnor further stated as she entered the intersection there was an impact of her vehicle and the airbags deployed. She did not observe the events that led up to the crash. Another witness (Mrs. Rachel King) contacted at the scene stated she was driving westbound on 63rd Street at Prospect Ave. Mrs. King advised when the light turned green she proceeded into the intersection. Mrs. King observed vehicle #2 (black truck) in front of her driving westbound on 63rd Street when a southbound red car (CARNES vehicle #1) that was traveling 90-95 MPH strike the passenger side of the truck. Mrs. King observed the truck collide with the van that was eastbound on 63rd Street. Detective Anderson obtained a formal statement from Mrs. King.

An area canvass of the intersection (E. 63rd Street and Prospect Ave) revealed three different surveillance cameras that had captured the collision events. A review of the three different videos revealed CARNES operated the Pontiac G6 southbound on Prospect Ave in the northbound lanes of traffic, as he approached the intersection. CARNES failed to stop at the red electronic traffic signal, while driving at a high rate of speed, and struck vehicle #2. Vehicle #2 then struck vehicle #3. The three related videos were recovered.

All vehicles involved in the crash were towed to the City Impound Lot. A search warrant was obtained for CARNES vehicle #1, red Pontiac G6. Located within the Pontiac G6 is an Airbag Control Module (ACM). The

PROBABLE CAUSE STATEMENT FORM

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device is also commonly referred to as a Sensing and Diagnostic Module (SDM), or Restraint Control Module (RCM). An electronic download of the ACM inside CARNES vehicle revealed CARNES was unbuckled at the time of crash. Further, data displayed from ACM revealed 5 seconds prior to airbag deployment, CARNES vehicle was traveling at 101 miles per hour, 4 seconds prior 96 miles per hour, 3 seconds prior 92 MPH, 2 seconds prior 86 MPH, and 1 second prior 82 MPH.

Officer M. Phelps completed a speed analysis of the vehicles involved in the crash. As a result of the speed analysis, CARENS was determined to be operating vehicle #1 at a minimum speed of 77 to 83 miles per hour in a 35 mile per hour zone.

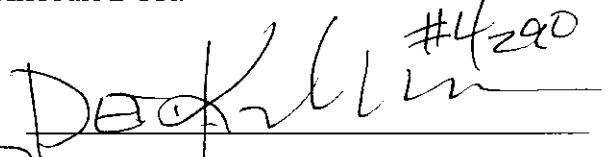
Investigation revealed CARNES was operating the red 2008 Pontiac G6 (vehicle #1) southbound on Prospect Ave at a high rate of speed and struck vehicle #2, black Dodge pickup, which was westbound on E. 63rd Street. Further investigation revealed vehicle #2 struck vehicle #3, green Nissan Van, which was eastbound on E. 63rd Street. Further investigation revealed, CARNES operated vehicle #1 in the opposing lanes of travel; southbound in the northbound lanes of travel. CARNES failed to stop at the intersection of E. 63rd Street & Prospect Ave which was controlled by a red electronic traffic control signal at the time of the collision events. CARNES vehicle's front end impacted the right side of vehicle #2 in the intersection causing vehicle #2 to roll over. Vehicle #2's hood impacted the hood of vehicle #3 while overturning. Driver #2, Patrick Mercer, died as a result of collision events.

CARNES was transported to Research Medical Center. CARNES medical records from Research Medical Center were subpoenaed and they revealed the following: Upon initial arrival at the hospital, CARNES was being treated for multiple gunshot wounds (gunshot wounds to the chest, right forearm and left hand), a broken right ankle and fractured ribs. For further information see CRN 16-064664, Assault (Agg). CARNES toxicology reports indicated that he had high levels of Cocaine, THC (Tetrahydrocannabinol-the active ingredient of marijuana and Phencyclidine (the active ingredient of PCP) in his system at the time of his arrival at the hospital.

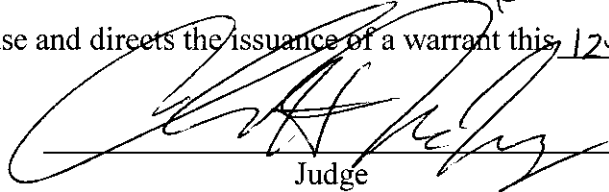
A computer check of CARNES revealed him to be valid through Missouri DOR.

Printed Name Det. K. Richardson #4290

Signature

 #4290

The Court finds probable cause and directs the issuance of a warrant this 12th day of JAN 2017.


Judge

Circuit Court of JACKSON County, State of Missouri.