

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT INDEPENDENCE

POLICE NO. :	17-070825
PROSECUTOR NO. :	095441565

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
DONOVAN L. JAMES)	
8116 E. 100th Terr. Ct.,)	CASE NO. 1716-CR
Kansas City, MO - 64134)	DIVISION
DOB: 06/05/1999)	
Race/Sex: B/M;)	
SSN: XXX-XX-XXXX)	
)	DEFENDANT.

COMPLAINT

**Count I. Murder 2nd Degree - Felony Murder - During Perpetration/attempted
Perpetration/flight From Perpetration Of A Felony, A Person Dies (565.021-
003Y19840999.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of An individual convicted and sentenced for this offense shall not be eligible for parole until eighty-five percent of the sentence is served.

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 September 29, 2017, in the County of Jackson, State of Missouri, Phillip J. Anderson was killed by being shot as a result of the perpetration of the class B felony of Unlawful Use of a Weapon under Section 571.030(9), RSMo committed by the defendant on or about September 29, 2017, in the County of Jackson, State of Missouri.

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. Unlawful Use Of Weapon - Subsection 9 - Shoot At/from Motor Vehicle, At
Person, Motor Vehicle Or Building (571.030-020Y20145299.0)**

State vs. Donovan L. James

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, RSMo, committed the class B Felony of unlawful use of a weapon, punishable upon conviction under Sections 558.011 and 571.030.9, RSMo, in that on or about September 29, 2017, at Noland Road and I-70, in the County of Jackson, State of Missouri, the defendant, knowingly discharged a firearm at a motor vehicle to-wit: a silver 2002 Pontiac Grand Prix.

The range of punishment for a class B felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years and not to exceed fifteen (15) years.

Count III. Armed Criminal Action (571.015-001Y19755299.0)

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 September 29, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Unlawful Use of a Weapon charged in Count 2, 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 range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than three (3) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of three (3) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 RSMo. as a second offense is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than five (5) years without eligibility for parole, probation, conditional release or suspended imposition or execution of sentence for a period of five (5) calendar years. The range of punishment for the offense of Armed Criminal Action in violation of section 571.015 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. Any punishment imposed pursuant to section 571.015 RSMo. shall be in addition 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.

State vs. Donovan L. James

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,

/s/ Traci A. Stansell
Traci A. Stansell (#41903)
Assistant Prosecuting Attorney
321 W. Lexington
Independence, MO - 64050
(816) 881-4591
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WITNESSES:

Phillip J Anderson , , , -
PO Paul Campbell , 223 N. Memorial Drive, Independence, MO - 64050
PO Chad Cox , 223 N. Memorial Drive, Independence, MO - 64050
DET Dan Fries , 223 N. Memorial Drive, Independence, MO - 64050
PO Amanda Huffman , 223 N. Memorial Drive, Independence, MO - 64050
Donovan L. James , 8116 E. 100th Terr. Ct., Kansas City, MO - 64134
PO Nathan Ledezma , 223 N. Memorial Drive, Independence, MO - 64050
PO Nicholas Logan , 223 N. Memorial Drive, Independence, MO - 64050
[REDACTED]
[REDACTED] - 64050
SGT Darrell Schmidli , 223 N. Memorial Drive, Independence, MO - 64050
PO Jason Schnetzer , 223 N. Memorial Drive, Independence, MO - 64050
[REDACTED]
[REDACTED]
DET Todd Winborn , 223 N. Memorial Drive, Independence, MO - 64050

PROBABLE CAUSE STATEMENT

Date: 10/02/17

Report #: 2017-70822

I, Todd Winborn, a Detective with the Independence, Missouri, Police Department, 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 on 09/29/17, at 2100, Donovan L. James, B, M, 06/05/1999, [REDACTED], 8116 E. 100th Terrace, Kansas City MO 64134 committed one or more criminal offenses in Jackson County, Missouri.

2. The facts supporting this belief are as follows:

On 09/29/17 at about 2055 hours Detective Dan Fries and Detective Chad Cox conducted a car stop at Noland Rd and I70 in Independence, Jackson County, MO on the on ramp to west bound I70. While on the car stop at 2100 hours, the Detective's heard 6 gun shots in their immediate area. They observed several vehicles coming on the on ramp. A red vehicle slowed down and yelled that it was the silver car. Detectives advised dispatch of the shots being fired and told them that the suspect was west bound I70 from Noland Rd. Detectives then heard more shots being fired on I70. Moments later Dispatch advised the silver car had ended up at Quik Trip on 40 Hwy at Sterling Ave and that a person (ANDERSON,PHILLIP,J) had been shot in the head and was deceased.

Independence Police Officers also responded back to the area of Noland Rd and I70 and located 3 spent shell casings on the on ramp. Two of the casings were .380 and one was 40 caliber. We also located two 9 mm rounds on I70 close to Chrysler.

Independence Police Detective Steve Schmidli interviewed the driver [REDACTED] of a silver 2002 Pontiac Grand Prix. [REDACTED] told Detective Schmidli that they pulled into the Shell gas station on Noland Rd when an occupant described as light skinned black male with a thick black beard was "mean mugging" them. [REDACTED] then advised Donovan JAMES and the victim (Phillip Anderson) exchanged words and the black car left the parking lot onto Noland Rd. [REDACTED] advised the black vehicle was at the stop light waiting to turn Eastbound onto I-70. [REDACTED] advised he pulled out and was in the lane to turn Westbound onto I-70. He advised Donovan JAMES who was in the back seat stated that he was going to "air him out" on Noland Rd. [REDACTED] explained that this meant to shoot at them. He then advised Donovan JAMES leaned out the back passenger window and shot several rounds over the top of silver car towards the black car. They then exited on to I70 and attempted to flee the area. [REDACTED] advised black car chased after them and pulled up to his passenger side. The driver identified as the light skinned black male shot several rounds into the passenger side of his vehicle. The light skinned black male hit Phillip who was located in the front passenger seat. [REDACTED] stated that Phillip was covered in blood and unresponsive so they drove to Quik Trip to get help. [REDACTED] signed a written consent to search his vehicle. Detectives searched the vehicle and located a Glock Model 42 .380 caliber inside a zipped up suitcase in the back seat of the vehicle.

Independence Police Detective Todd Winborn interviewed Donovan JAMES. James told detectives the same as [REDACTED] but he stated that Phillip is the one that did the shooting on Noland Rd. He did admit that he fired two shots on I70 after the guy in the black car shot at him.

Witnesses [REDACTED] and [REDACTED] at I-70 and Noland Rd reported that they were driving on Noland Rd and observed the rear passenger (Donovan JAMES) of the silver car lean out the window and shoot towards the east over the top of the silver car. The car then fled on I-70.

On 09/30/17, KCPD contacted Independence Police reference a black Ford Focus found abandoned at the Minute Mart 4111 Blue Ridge Cutoff, KCMO. Independence Police Detective Doug Miller responded. The vehicle had apparent bullet holes in the rear passenger side and the rear window. A computer check of the Missouri License Plate MR8-D3V responded back to Michael T. Dumas.

Det. T. Winborn 1036

/s/Detective Todd Winborn #1036

Print Name

Signature