

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

POLICE NO. :	18-008852
PROSECUTOR NO. :	095443625

STATE OF MISSOURI,)	
)	PLAINTIFF,
vs.)	
RATHELL Q. ROSS)	
5918 Agnes Ave,)	CASE NO. 1816-CR
Kansas City, MO - 64111)	DIVISION
DOB: 10/10/1996)	
Race/Sex: B/M;)	
██████████)	
)	DEFENDANT.

COMPLAINT

**Count I. Assault 1st Degree Or Attempt - Serious Physical Injury Or Special Victim
(565.050-001Y19841307.0)**

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 of assault in the first degree**, punishable upon conviction under Section 558.011, RSMo, in that on or about February 5, 2018, in the County of Jackson, State of Missouri, the defendant shot at the victim, and such conduct was a substantial step toward the commission of the offense of assault in the first degree of ██████████ ██████████, and was done for the purpose of committing such assau, and in the course thereof inflicted serious physical injury on ██████████.

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. 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 (571.015-001Y19755299.0)

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

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571.015.1, RSMo, in that on or about February 5, 2018, in the County of Jackson, State of Missouri, the defendant committed the felony of Assault in the First Degree charged in Count One, all allegations of which are incorporated herein by reference.

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 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/ Jordan R. Bergus
Jordan R. Bergus (#64729)
Assistant Prosecuting Attorney
415 East 12th Street 11th Floor
Kansas City, MO - 64106
(816) 881-3319
jbergus@jacksongov.org

WITNESSES:

DET Jennifer A. Blythe, 1125 Locust, Kansas City, MO - 64106

PO David B. Edwards, 1125 Locust, Kansas City, MO - 64106

PO Dawn M. Jones, 1125 Locust, Kansas City, MO - 64106

DET Gwendolyn S. Merino, 1125 Locust, Kansas City, MO - 64106

PO Charles A. Prichard, 1125 Locust, Kansas City, MO - 64106

DET Jacob A. Shroyer, 1125 Locust, Kansas City, MO - 64106

DET Kevin M. White, 1125 Locust, Kansas City, MO - 64106

PROBABLE CAUSE STATEMENT FORM

Date: 02/06/2018

CRN: 18-008852

I, Det. Jennifer Blythe, #5490 of the Kansas City, Missouri Police Department
(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 02/05/2018, at 44th Street and South Benton Ave in
(Date) (Address)

Kansas City, Jackson Missouri Ross, Rathell
(County) (Name of Offender(s))

B/M 10/10/1996 committed one or more criminal offense(s).
(Description of Identity)

**Robbery-1st Degree
Armed Criminal Action**

The facts supporting this belief are as follows:

On 02/05/2018 at 1338 hours, Officers with the Kansas City Missouri Police Department were dispatched to the park located at 44th Street and South Benton Ave in regard to a shooting. Dispatch updated the call advising that six to seven shots were heard, a male was lying in the park, and there were two black male suspects in their late teens or early twenties that ran northbound from the scene.

Detectives viewed video surveillance footage of the incident which revealed the following: At 1335 hours, one black male wearing a gray hooded jacket and one black male wearing a black jacket with a lime green hat walked eastbound on 44th Street and met up with a person (victim) on the side of the basketball court, then they all walked off camera. Suspect #1, suspect #2 and the victim returned. At 1337 hours, a black SUV pulled up eastbound on 44th Street and stopped at the basketball court for about 3 seconds then drove off eastbound. The call notes indicated the SUV was a witness vehicle.

At 1337 hours, Officers canvassed the area for the suspects based on last known direction of travel. Officers were contacted by a witness who observed suspect #1, later identified as **Rathell Q. Ross B/M 10/10/1996**, and suspect #2 walking westbound in the area of 44 and Prospect. The witness stated that when the police sirens became audible, **Ross** and suspect #2 ducked into an open garage (2506 E 44th Street). **Ross** and suspect #2 then started walking again and split up. The witness pointed out **Ross** to the officers as one of the subjects hiding in the garage as **Ross** continued walking southbound on Wabash near 45th Street. Officers conducted a pedestrian check and observed **Ross** to be wearing a gray hooded jacket and breathing heavily. A computer check revealed **Ross** to have a Jackson County probation violation and five KCMO warrants. **Ross** was arrested and transported to EPD for booking.

At 1350 hours, a KCPD K9 Officer conducted an article search at 44th Street and Wabash Ave, where one of the suspects was last seen. In the back yard of 4408 Wabash, the K9 located a 30 round metal magazine with live rounds in it. The officer observed melting snow on the magazine, indicating it was still warm and recently put there.

Officers returned to the open, door-less garage where **Ross** and suspect #2 were observed to be hiding and located two handguns and a small flashlight buried under some leaves.

PROBABLE CAUSE STATEMENT FORM

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On 02/05/2018, detectives interviewed **Ross** at EPD after he waived his rights. **Ross** denied any involvement or knowledge of the robbery and after changing his story several times became belligerent and the interview was ceased.

On 02/06/2018, detectives responded to the hospital and interviewed the victim who was in ICU being treated for multiple gunshot wounds. The victim stated the following: He was contacted by suspect #2, a friend whom he knows as [REDACTED] and **Ross**, whom he knows as "TJ". The suspects invited him to come to the park to sell marijuana. Once the victim met **Ross** and suspect #2 at the park, both suspects produced handguns and shot him. The victim believed his wallet containing \$200 and 4 grams of marijuana was taken by the suspects. However, officers recovered his wallet from his clothing and Crime Scene Technicians located marijuana at the scene.

The victim was shown a photo lineup containing **Ross** and five other subjects similar in appearance and positively identified **Ross** as the suspect he knows as "TJ". The victim again described **Ross** as one of the shooters.

Printed Name Det. Jennifer Blythe, #5490 Signature /s/Det. Jennifer Blythe, #5490

The Court finds probable cause and directs the issuance of a warrant this _____ day of _____.

Judge

Circuit Court of _____ County, State of Missouri.