

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

1716-CR01452

Police# 17-023273

Pros# 095438780

OCN# C0054516

INDICTMENT

THE STATE OF MISSOURI,

vs.

**Tirrell A. Middleton
4400 Norwood
Kansas City, MO 64133
DOB: 04/05/1980; Race/Sex: B/M**

**██████████
Defendant.**

**IN THE CIRCUIT COURT OF
JACKSON COUNTY, MISSOURI
AT KANSAS CITY, MARCH TERM 2017,
IN DIVISION NUMBER 13 THEREOF
DESIGNATED BY THE RULES
OF SAID COURT AS CRIMINAL
DIVISION A.**

Count I. Murder 2nd Degree (565.021-001Y19840902.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of 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 on or about April 2, 2017, in the County of Jackson, State of Missouri, the defendant knowingly caused the death of Samuel L. Lloyd 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 (571.015-001Y19755299.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge 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 April 2, 2017, in the County of Jackson, State of Missouri, the defendant committed the felony of Murder in the Second Degree charged in Count One, all allegations of which are incorporated herein by

reference, and the defendant committed the foregoing felony of Murder in the Second Degree 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.

Count III. Unlawful Possession Of A Firearm (571.070-001Y20175299.0)

The Grand Jurors of the County of Jackson, State of Missouri, charge that the defendant, in violation of Section 571.070, RSMo, committed the **Class D Felony of Unlawful Possession of a Firearm**, punishable under Sections 558.002 and 558.011, RSMo, in that on or about April 2, 2017, in the County of Jackson, State of Missouri, the defendant knowingly possessed a Hi-Point .380 caliber handgun, serial # P8011375, a firearm, and the defendant is a felon in that he was convicted of Felony Menacing in Colorado in 2009.

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 two (2) years 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.

Wherefore this Indictment supersedes any complaint previously filed in the Associate Circuit Court.

TRUE BILL

FOREPERSON

**JEAN PETERS BAKER
PROSECUTING ATTORNEY
FOR THE COUNTY OF JACKSON,
STATE OF MISSOURI, by**

Received this _____ day of _____, 2017.

Bail set at \$
WARRANT / SUMMONS TO ISSUE

CIRCUIT COURT JUDGE

WITNESSES:

DET Alane M. Booth, 1125 Locust, Kansas City, MO 64106
PO Shawn E. Davis, 1125 Locust, Kansas City, MO 64106
DET Donna M. Drake, 5301 E. 27th Street, Kansas City, MO 64127
PO Ruben Gonzales, 1125 Locust, Kansas City, MO 64106

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PO Jeremy A. White, 1125 Locust, Kansas City, MO 64106

PROBABLE CAUSE STATEMENT FORM

Date: 04/03/2017

CRN: 17-23273

I, Det. Donna Drake #5573
(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 04/02/2017, at 4400 Norwood Av in
(Date) (Address)

Kansas City, Jackson Missouri Middleton, Tirrell A.
(County) (Name of Offender(s))

b/m, 5' 5", 180lbs, 4/5/1980, [REDACTED] committed one or more criminal offense(s).
(Description of Identity)

The facts supporting this belief are as follows:

On 4/2/2017 at approximately 0125 hours, members of the Kansas City Missouri Police Department were dispatched to 4400 Norwood Ave, Kansas City, Jackson County, Missouri, 64133 in regard to a shooting. Upon arrival, a b/m was located lying on the basement floor of the single family residence with apparent gunshot wounds. EMS responded to perform life- saving efforts, and the b/m victim was transported to an area hospital, where he succumbed to his injuries. The death is being investigated as a homicide. Three .380 caliber shell casings were observed by responding officers in the basement of the residence. No additional firearms were located near or around the basement, nor in the remaining rooms of the residence. Initial information obtained at the scene indicated the alleged b/m shooter fled the scene on foot, and was identified as a resident of 4400 Norwood Av. The deceased b/m was identified as a 54 year old black male who had also been residing at the residence. Investigators located a damaged projectile within a blood pool on the floor of the basement.

Additional KCPD officers arrived on scene and began conducting an area canvass for the shooter. A description of the b/m shooter wearing specific clothing was broadcast as pick up information for responding officers. A b/m subject was observed by officers in similar clothing and attempted to run from the officers. After a brief foot chase from the area of Blue Ridge Blvd and 43rd St., Kansas City, Jackson County, Missouri to the parking lot of 4341 Blue Ridge Blvd, Kansas City, Jackson County, Missouri, the b/m subject matching the description was taken into custody. While placing the b/m under arrest he spontaneously uttered to the officer, "What you're looking for is in my pocket."

During the search of the b/m subject, a black and silver Hi-Point .380 caliber handgun, serial # P8011375, determined to have a live .380 round in the chamber, was removed from the b/m's right jacket pocket. During the search of the b/m's right jacket pocket after he was placed under arrest, (3) live .357 ball rounds and (1) live .38 Special ball round were located in the front left pants pocket. A black holster was also observed clipped onto the INV's pants. Gloves were also recovered from the b/m's jacket pockets. The b/m was identified as **Tirrell A. Middleton, b/m, 4/5/1980.**

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Investigators interviewed witnesses relative to the homicide investigation. The homicide occurred at the same location where **Middleton**, the victim, and witnesses resided at the time of the shooting.

A witness described hearing the slide of a gun being racked coming from **Middleton**'s bedroom a brief time before the shooting on 4/2/17. The witness described becoming aware of **Middleton** responding to the basement of the residence where the victim resided, and subsequently heard 5-6 gunshots. Immediately following the shooting, the witness described **Middleton** as coming back upstairs from the basement and then made his presence known to the witness by standing just outside of the witness's bedroom door while holding a black and silver handgun to his side, which he believed to be a .380 caliber handgun. **Middleton** advised the witness something similar to, "He shot at me, so I shot him. Call Ted (homeowner) and an ambulance." Then the witness observed **Middleton** respond to his bedroom, change his pants, then leave the residence on foot. The witness then called 911. The witness identified a color photo of **Middleton**. The witness also stated he has seen **Middleton** with a revolver before within the residence, and believes **Middleton** to own a revolver.


An additional witness described hearing **Middleton** say, "When I get my hands on a gun, I'm gonna shoot that nigga" referring to the victim several times over the course of the previous couple months.

On 4/2/17 **Middleton** was interviewed by investigators and waived his Miranda Rights and agreed to speak with detectives. **Middleton** was advised by investigators they wanted to speak with him about why he was in custody. No mention was made to **Middleton** the victim had passed away, and **Middleton** did not inquire about the victim's condition. **Middleton** identified a color photo of the victim as Samuel Lloyd, b/m 3/1/1963, his biological uncle. **Middleton** admitted to putting gloves on and taking his loaded revolver downstairs in the basement of the residence where the victim resided. **Middleton** explained he was aware the victim was in the basement alone. **Middleton** was asked why he put gloves on to make contact with the victim, and **Middleton** replied, "Because I thought I was gonna have to fight him." **Middleton** stated when he responded to the victim's living quarters in the basement he pulled a privacy curtain and observed the lights were out, and called out the victim's name, and stated the victim fired a shot in his direction. **Middleton** proceeded further into the victim's room and then shot once back towards where he believed the victim to be. **Middleton** stated the victim proceeded within closer proximity to **Middleton**. **Middleton** lunged towards the victim, and a physical confrontation ensued between the victim and **Middleton**. **Middleton** maintained possession of his revolver during the altercation. **Middleton** stated he was on top of the victim on the floor and disarmed the victim. **Middleton** stated that once the victim was disarmed, he shot the victim in the stomach with his revolver. During the course of **Middleton**'s statement, he stated, "I could've when I snatched it from him just walked away." **Middleton** stated after he shot the victim in the stomach with his revolver as the victim was lying on the floor, he went back upstairs and advised a witness who was also home at the time to call 911 and notify the homeowner. **Middleton** stated he then left the residence with both the revolver and the victim's .380 caliber handgun. **Middleton** stated, "Like I'm not trying to tap dance around this incident, and I'm gonna tell you where it stands at the end of the day I just came from under 130 years, he ain't dead so I'm not getting no murder charge." **Middleton** was then made aware the victim had passed away. **Middleton** subsequently agreed to show detectives where his revolver was located which he used to shoot the victim. **Middleton** was escorted to the area of E. 43rd St. and Blue Ridge Blvd, Kansas City, Jackson, Missouri at **Middleton**'s direction. **Middleton** was transported in the investigator's police vehicle to do so. **Middleton** pointed out two different storm drains in the immediate area with negative results. **Middleton** then directed investigators to driver further south east to the area

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of a business observed to be Thrifty Nickel, 12103 E. 43rd St., Kansas City, Jackson County, Missouri. From the police vehicle, **Middleton** directed the investigators to the specific location of his revolver and apologized for lying about its location. The revolver was then located behind a barbed wire fence obscured by tall grass where **Middleton** had stated it would be. **Middleton** had advised investigators he placed it there himself.

Printed Name Det. Donna Drake #5573 Signature 

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

Judge

Circuit Court of _____ County, State of Missouri.