

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

<b>POLICE NO. :</b>	KC20008783
<b>PROSECUTOR NO. :</b>	095457479
<b>OCN:</b>	

**STATE OF MISSOURI,**

**PLAINTIFF, )**

**VS.**

**MICHAEL P MERTENS**

**1514 Campbell St.**

**Kansas City, MO 64108**

**DOB: 06/24/1992**

**Race/Sex: W/M**

**DEFENDANT. )**

**COMPLAINT**  
**WARRANT REQUESTED**

**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 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 February 4, 2020, in the County of Jackson, State of Missouri, Judith R. Morris was killed by being struck by a vehicle operated by the defendant as a result of the perpetration of the class D felony of receiving stolen property under Section 570.030.1, RSMo, committed by the defendant on or about February 4, 2020, in the County of Jackson, State of Missouri.

**Or in the alternative:**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges 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 February 4, 2020, in the County of Jackson, State of Missouri, Judith R. Morris was killed by being struck by a vehicle operated by the defendant as a result of the perpetration of the class E felony of driving while

**State vs. Michael P Mertens**

revoked under Section 302.321, RSMo committed by the defendant on or about February 4, 2020, in the County of Jackson, State of Missouri.

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. 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 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 February 4, 2020, in the County of Jackson, State of Missouri, Virgil M. Dixon was killed by being struck by a vehicle operated by the defendant as a result of the perpetration of the class D felony of receiving stolen property under Section 570.030.1, RSMo committed by the defendant on or about February 4, 2020, in the County of Jackson, State of Missouri.

**Or in the alternative:**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges 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 February 4, 2020, in the County of Jackson, State of Missouri, Virgil M. Dixon was killed by being struck by a vehicle operated by the defendant as a result of the perpetration of the class E felony of driving while revoked under Section 302.321, RSMo committed by the defendant on or about February 4, 2020, in the County of Jackson, State of Missouri.

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 III. Leaving Scene Of Accident - Accident Resulting In Death (577.060-006Y20175499.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of 577.060, RSMo, committed the **class D felony of leaving the scene of an accident**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about February 4, 2020, the defendant, while operating a motor vehicle on E. 18th Street and Brooklyn Avenue, Kansas City, in the County of Jackson, State of Missouri, was involved in an accident that resulted in death to Judith Morris and the defendant knew that such accident had occurred, and defendant left the location of the accident without stopping and giving defendant's name, residential address, license number of defendant's vehicle, and operator's license number to the other party in the accident, a law enforcement officer in the vicinity, or to the nearest law enforcement agency.

The range of 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.

**Count IV. Receiving Stolen Property (570.030-048Y20172803.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 570.030.1(3), RSMo, committed the **class D felony of receiving stolen property**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about February 4, 2020, in the County of Jackson, State of Missouri, the defendant, with the purpose to deprive the owner of a 2005 Honda Pilot, retained such property, knowing or believing that it had been stolen, and the property appropriated was a 2005 Honda Pilot, a motor vehicle.

The range of 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.

**State vs. Michael P Mertens**

**Count V. Possession Of Controlled Substance Except 35 Grams Or Less Of Marijuana/synthetic Cannabinoid (579.015-001Y20173572.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 579.015, RSMo, committed the **class D felony of possession of a controlled substance**, punishable upon conviction under Sections 558.002 and 558.011, RSMo, in that on or about February 4, 2020, in the County of Jackson, State of Missouri, the defendant knowingly possessed methamphetamine, a controlled substance, knowing of its presence and nature.

The range of 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.

**Count VI. Driving While Revoked/suspended (302.321-005Y20175499.0)**

The Prosecuting Attorney of the County of Jackson, State of Missouri, upon information and belief, charges that the defendant, in violation of Section 302.321, RSMo, committed the **class E felony of driving while license was revoked**, punishable upon conviction under Sections 302.321, 558.002 and 558.011, RSMo, in that on or about February 4, 2020, in the County of Jackson, State of Missouri, the defendant operated a motor vehicle on a roadway, E. 18th St. and Brooklyn Avenue, Kansas City, during a time when defendant's operator's license was revoked under the laws of this state, and knew or was aware that defendant's operator's license was revoked, and

On or about January 8, 2013, defendant was convicted of Burglary in the Second Degree in the Circuit Court of Warren County, Missouri in Case No. 12BB-CR01035-01, for events that occurred on August 10, 2012, and

On or about July 8, 2014, defendant was convicted of Receiving Stolen Property in the Circuit Court of Warren County, Missouri in Case No. 14BB-CR00043-01, for events that occurred on March 21, 2012, and

On or about August 16, 2011, defendant was convicted of driving while revoked in the Circuit Court of St. Louis County in Case No. 11SL-CR03254, for events that occurred on February 15, 2011.

On or about June 11, 2012, defendant was convicted of Trespass in the First Degree in the Circuit Court of Warren County, Missouri in Case No. 12BB-CR00192, for events that occurred on February 10, 2012.

**State vs. Michael P Mertens**

The range of punishment for a class E 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 four (4) 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.

The facts that form the basis for this information and belief are contained in the statement(s) of facts filed contemporaneously herewith, 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/ Kailea A Bogner

Kailea A Bogner (#69970)  
Assistant Prosecuting Attorney  
415 E. 12th St.  
10th Floor  
Kansas City, MO 64106  
(816) 881-3526  
KABogner@jacksongov.org

**WITNESSES:**

1. Issac M Adams, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
2. PO Mitchell S. Atwood, 1125 Locust, Kansas City, MO 64106
3. DET Gary L. Burgess, 1125 Locust, Kansas City, MO 64106
4. DET Anthony L. Contreras, 1125 Locust, Kansas City, MO 64106
5. Bonnie T Gipson, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
6. PO Jamie Lamb, 1125 Locust, Kansas City, MO 64106
7. Kiah R Martin, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
8. Larry J Mosby, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
9. DET Lawrence R. Pollard, 1125 Locust, Kansas City, MO 64106
10. DET Kevin D. Richardson, 1125 Locust, Kansas City, MO 64106
11. DET Chad M. Rives, 1125 Locust, Kansas City, MO 64106

**State vs. Michael P Mertens**

12. Maria N Salais, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
13. Daffine A Salais-Rey, Prosecuting Atty. Office, 415 E 12th St, Floor 11, Kansas City, MO 64106
14. SGT Jason L. White, 1125 Locust, Kansas City, MO 64106



## PROBABLE CAUSE STATEMENT FORM

Date: 02-04-2020

CRN: 20-008783

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 02-04-2020, at E. 18<sup>th</sup> Street and Brooklyn Avenue in

Kansas City, Jackson Missouri, Michael P. Mertens W/M 06-24-1992

(County)

(Name of Offender(s))

(Description of Identity)

committed one or more criminal offense(s).

**Fatality Hit & Run Crash/ Stolen Auto/ Possession of controlled sub**

The facts supporting this belief are as follows:

On 02-04-2020 at approximately 0911 hours, Kansas City Missouri Police Sergeant was in the area to the west of E. 18<sup>th</sup> Street and Brooklyn Avenue, Kansas City, Jackson County, Missouri when he observed a maroon Honda SUV operating at a high rate of speed eastbound on E. 18<sup>th</sup> Street. Sergeant J. White observed a cloud of smoke coming from the area just east of his location. Sergeant J. White started driving eastbound on E. 18<sup>th</sup> Street towards where he observed the smoke. In the area of E. 18<sup>th</sup> Street and Brooklyn Avenue, Sergeant J. White observed the maroon SUV crashed and the white male driver fleeing the crash scene on foot. Sergeant J. White took the driver into custody just north of Arthur Bryant's BBQ, he was identified as Michael P. Mertens W/M 06-24-1992.

Members of the Accident Investigation Section and Traffic Investigation Section responded to the area of crash at E. 18<sup>th</sup> Street and Brooklyn Avenue. It should be noted KCFD responded and pronounced the occupants of a red Chevrolet Monte Carlo deceased prior to the arrival of AIS and TIS. Investigation revealed the maroon Honda SUV failed to stop at the posted stop sign driving at a high rate of speed eastbound on E. 18<sup>th</sup> Street when it struck a red Chevrolet Monte Carlo. The initial impact caused the red Chevrolet Monte Carlo to strike a gray Ford Fusion, which was stopped and facing westbound at the intersection of E. 18<sup>th</sup> Street and Brooklyn Avenue. After the crash the driver of the maroon Honda SUV fled northbound on Brooklyn Avenue and was apprehended by Sergeant Jason White after a brief foot chase.

I responded to the crash and contacted the driver of black Chevrolet SUV and she was identified as Daffne Salais. Ms. Salais stated the following; she drove her 3 year old brother to his daycare at Cotton Candy Daycare at 3505 E. 9<sup>th</sup> Street. Ms. Salais advised she was driving her black Chevrolet Equinox and her 3 year old brother was seated in child's seat in the middle rear seat. Ms. Salais was in the process of dropping off her brother when she observed her mother's stolen maroon Honda Pilot (SUV). For further information see CRN 20-06654, Independence Police Department Stolen Auto Report. Ms. Salais identified the stolen SUV by the Christmas tree air freshener hanging from the interior rearview mirror and the dent in the rear bumper. At the time she observed the stolen vehicle it was being operated by a white male who appeared to be in his thirties. It appeared the stolen vehicle was only occupied by the white male driver. Ms. Salais began following the stolen vehicle as she called 911. Ms. Salais stated initially the white male was operating the vehicle in a safe manor. Ms. Salais advised she followed the stolen vehicle for approximately 10 minutes before the driver began operating carelessly and at a high rate of speed. Ms. Salais stated when they were in the area of E. 12<sup>th</sup> Street; the white male accelerated the vehicle to 70 MPH. Ms. Salais stated the stolen vehicle failed to stop at red traffic signals as she continued following it. Ms. Salais advised the stolen vehicle failed to stop at the posted sign traveling eastbound on E. 18<sup>th</sup> Street at Brooklyn Avenue, traveling approximately 70-80 MPH when it struck another vehicle. Ms. Salais stated when the crash occurred she was approximately 1 block behind it at E. 18<sup>th</sup> Street and Highland Avenue so she didn't see the vehicle that the stolen vehicle (maroon SUV) struck. Ms. Salais stated the white male driver of the stolen vehicle fled the crash scene on foot, northbound on Brooklyn Avenue. However, she observed police respond to the crash scene and take the white male driver into custody just north of crash scene. Ms. Salais advised she was not in possession of any weapons and she never made any



PROBABLE CAUSE STATEMENT FORM

CRN 20-008783

threatening actions towards the white male suspect. Ms. Salais stated she didn't want to get to close the white male driver because her 3 year old brother was riding in the back seat of her vehicle.

A computer check of the displayed Missouri license plate #ZD3V9P on the stolen auto (maroon 2005 Honda Pilot SUV) at the crash scene confirmed the vehicle had been reported stolen on 01-28-2020 at approximately 0500 hours, from 2705 S. Blue Ridge Boulevard, Independence, Jackson County, Missouri. The vehicle was reported stolen by Maria Salais. She reported that she had started her vehicle to allow it to warm up. Maria returned inside her residence while she left the vehicle unsecured with the engine running and keys in the ignition. Maria was inside her residence for approximately 5 minutes and when she returned outside her vehicle was missing. Maria advised nobody had permission to operate or occupy her stolen vehicle at the time it was stolen.

Detectives from the Traffic Investigation Section interviewed four additional witnesses at the crash scene. The witnesses stated they were near the intersection of 18<sup>th</sup> and Brooklyn when they observed the maroon SUV traveling eastbound on 18<sup>th</sup> Street at a high rate of speed; fail to stop for the posted stop sign before crashing into the red Chevrolet Monto Carlo. Witnesses then observed a white male exit the SUV and run northbound.

The suspect driver of the stolen maroon SUV, identified as MICHAEL P. MERTENS W/M 06-24-1992, spontaneously stated to Officer M. Atwood that he was being chased by a blue or black SUV from the area of E. 9<sup>th</sup> Street and Benton Boulevard. Further, MERTENS stated he had just dropped off his grandmother at a laundry mat, when the SUV driven by an unknown subject started following him. MERTENS stated the unknown subject shot at him during the chase. A search incidental to arrest of MERTENS left front yellow shorts pocket revealed a small green colored baggie containing an off white granular substance. MERTENS was also in possession of three separate credit cards belonging to three different people, none of which were MERTENS. Officer M. Atwood also located and recovered a toy/plastic gun marked UKARMS on the left side of MERTENS genitals, which was under his gray joggers, yellow shorts and red underwear.

Sergeant J. White field tested the granular substance weighing approximately .31 grams using a TruNarc device serial #TN5755 and it tested positive for the presence of methamphetamine.

A computer check of MERTENS revealed him to respond with no operator's status through Missouri DOR.

A search warrant will be executed for MERTENS DNA and blood for further investigation. The three vehicles involved in the crash will also be processed.

[Printed Name] Det. K. Richardson #4290

Signature

 #4290

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

\_\_\_\_\_  
Judge

Circuit Court of \_\_\_\_\_ County, State of Missouri.