



NEWS RELEASE
GREENE COUNTY PROSECUTING ATTORNEY
DAN PATTERSON

Contact: Rhonda Ogden, Office Manager – (417) 868-4061
1010 Boonville
Springfield, MO 65802

05/06/2012

FOR IMMEDIATE RELEASE

Murder Suspect's Location Unknown

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Joshua K. Brown, 21, has been charged today with the felonies of murder in the second degree and armed criminal action. These charges stem from the events that occurred at 1134 S. Maryland, Springfield, Missouri, on May 5, 2012, which resulted in the death of Jovan Carter. Mr. Brown's whereabouts are currently unknown and the police are searching for him. Please contact the Springfield Police Department or crime stoppers if you have information concerning his current location.

Mr. Patterson cautions that the charges contained in the felony complaint are merely allegations and that the defendant is presumed innocent until and unless proven guilty in court.

Copies of the felony complaint and probable statement filed in this case are attached to this release. The Missouri Supreme Court ethics rules prohibit comments on the facts or investigation of this case beyond those contained in the felony complaint and probable cause statement that are part of the public record.

This case is being prosecuted by Assistant Prosecuting Attorney T. Myers. It is being investigated by the Springfield Police Dept. and Detective Kevin Shipley is the lead investigator assigned to the case.

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Wanted For Homicide

Brown, Joshua Kirkland

5'10" tall, 170 lbs, black hair, brown eyes

"Veronda" tattooed on left inner forearm

If you have any information, please contact the
Springfield Police Department 417-864-1810 or

Crime stoppers 417-864-TIPS

Subject should be considered armed and
dangerous

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI
Associate Division _____

STATE OF MISSOURI,)
Plaintiff,)
)
)
vs.) Case No. 1231-CR03341WJ
)
)
JOSHUA K BROWN,) OCN#
)
Defendant.) PA File No. 077243217

State of Missouri)
) ss.
County of Greene)

FELONY COMPLAINT

COUNT I
(Missouri Charge Code: 10031003.0)

The Prosecuting Attorney of the County of Greene, State of Missouri, 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 May 5, 2012, in the County of Greene, State of Missouri, the defendant knowingly or with the purpose of causing serious physical injury to Javon Carter caused the death of Javon Carter by shooting him.

COUNT II
(Missouri Charge Code: 31010013.0)

The Prosecuting Attorney of the County of Greene, State of Missouri, 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 May 5, 2012, in the County of Greene, State of Missouri, the defendant committed the felony of murder in the second degree as charged in Count I, 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.

State v. JOSHUA K BROWN

The facts that form the basis for this information and belief are contained in the attached probable cause statement concerning this matter, which statement is made a part hereof and is submitted herewith as a basis upon which this court may find the existence of probable cause for the issuance of the warrant.

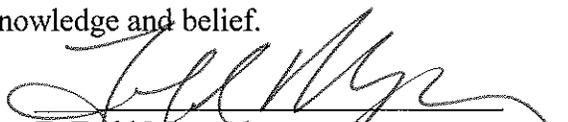
WHEREFORE, the Prosecuting Attorney prays that an arrest warrant be issued as provided by law.

DAN PATTERSON
Prosecuting Attorney of the County of
Greene, State of Missouri by


T. Todd Myers
Assistant Prosecuting Attorney
Missouri Bar No. 50252

1010 Boonville Ave.
Springfield, MO 65802
(417) 868-4061
FAX (417) 868-4160

T. Todd Myers, Assistant Prosecuting Attorney of the County of Greene, State of Missouri, being duly sworn, upon oath says that the facts stated in the above information are true, according to his or her best information, knowledge and belief.


T. Todd Myers
Assistant Prosecuting Attorney



SPRINGFIELD POLICE DEPARTMENT



PROBABLE CAUSE STATEMENT

Date: 5/06/2012 Case #: 12-18387

I, Sgt. Allen Neal, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that Brown, Joshua Kirkland, African American/Male, DOB ██████████/1991, SSN ██████████, committed one or more criminal offenses.
2. The following crime(s) happened on 5/05/2012/12:00 noon at 1134 S. Maryland in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

On 05/05/2012 at approximately 1200 hours, Springfield Police Officer Jason Bohannon was on routine bicycle patrol in the area of 900 E. Normal when he heard what he believed to be five gunshots. The gunshots sounded as though they came from the area of Kings and Loren. Officer Bohannon then observed a red Oldsmobile Alero disobey a stop sign at Kings and Delmar. Officer Bohannon conducted a traffic stop and contacted two black females (Erica Simpson and Jaymi Wheeler) and a black male inside the car (Dhamin Hervey). Hervey stated that a disturbance had occurred outside his house which he claimed to be 1140 S. Maryland. Hervey told Officer Bohannon that three black males arrived in a silver car and became involved in an argument with subjects in the house next to his. He stated he heard a black male with dreadlocks state, "I'm not afraid of no gun." Hervey stated a fight broke out, and he became scared. Hervey told Officer Bohannon he left through the back door of his residence. As he ran away, Hervey told Officer Bohannon he heard gunshots. Hervey was then picked up by his girlfriend who was driving the red Oldsmobile Alero.

Springfield/Greene County 911 Communications Center then advised that they were receiving calls of a shooting at 1134 S. Maryland. 911 Communications advised that a red car left the scene and was occupied by 3 black males who were possible suspects involved in the incident. During this same time frame, an additional 911 was received stating that a male subject had been shot at 1134 S. Maryland. Information was received from 911 Communications that a red car and a silver car were leaving the scene of the shooting. Cpl. Steve Pratt responded to the scene. As he was arriving in the area, Cpl. Pratt observed a silver vehicle in the area of Loren and National. Cpl. Pratt conducted a traffic stop on the car, and the driver was identified as Tremon Brewer. Brewer advised that his cousin had been shot. Officers remained with Brewer at the traffic stop while Cpl. Pratt responded to the scene of the shooting.

Cpl. Pratt arrived at 1134 S. Maryland, and he observed two black male subjects in the front of the residence. Cpl. Pratt contacted Brandon McDonald who stated Javon Carter had been shot in the face and arm. Carter was lying on the ground, and Cpl. Pratt observed that Carter had an apparent gunshot to the right side of his face. Cpl. Pratt also observed a gunshot to Carter's right bicep area. Carter was transported to the hospital by EMS. Carter was later pronounced deceased as a result of

the gunshot wounds. McDonald also received a gunshot to the arm, and he was transported to the hospital by EMS.

On 05/05/12, Cpl. Tony Vienhage conducted a videotaped interview with Tremon Brewer who identified himself as the brother of Javon Carter. Brewer stated that on 05/05/12, he travelled with Javon Carter and Brandon McDonald to 1134 S. Maryland to talk to "JB" and "Damu." According to Brewer, a female told McDonald that "JB" accused Carter, McDonald, and Brewer of breaking into "JB's" house and stealing items from the home. Brewer stated all three subjects arrived at the home together and walked to the front door. Brewer said "Damu" was standing at the front door when they walked to the porch. According to Brewer, "Damu" told the subjects to come inside and physically waved at them to come into the home. Brewer told Cpl. Vienhage that "Damu" opened the front door and unlocked the screen door. Brewer stated he entered the home with Carter and McDonald.

After entering the home, Brewer said he saw a small caliber (he believed it was a .25 caliber) setting on top of a living room table near the location where "JB" was sitting. Brewer stated "JB", "Damu", "Erica", and another female were all sitting on the couch in the living room. Brewer said Carter and McDonald exchanged words with "JB" about having the gun. Brewer reported that "Damu" told everyone to go "outside" so all subjects exited the home. Brewer said he saw "JB" put the pistol in "JB's" waistband before exiting the home.

Once everyone was outside of the home, Brewer reported that "JB" and Carter agreed to fight each other. Brewer said both subjects "raised their guard", and he said "JB" took off his shirt. Brewer said "JB" first tried to punch Carter but missed. Brewer told me Carter then punched "JB." After Carter struck "JB", Brewer said "JB" rushed towards Carter and grabbed him around the upper torso. Brewer said "JB" pushed Carter up against "JB's" Chevrolet Impala that was parked in the driveway. While the two subjects were pushed up against the car, Brewer reported hearing Carter say that "JB" was "going for the gun." Brewer was standing close to the fight, and he said he saw "JB" with his hand on the gun. Brewer said McDonald then ran to "JB" and Carter and tackled them. Brewer stated "JB" fell ahead of the other two subjects but did not fall all the way to the ground. Brewer reported that "JB" walked a short distance away from the fight, and then Brewer said "JB" walked back towards Carter and McDonald and began firing the gun. Brewer said "JB" fired the gun at Carter as Carter was lying on the ground. He believed "JB" fired the gun four times. Brewer stated Carter was stuck by one bullet on the arm. As Carter was lying on the ground, Brewer stated "JB" ran up to Carter and shot him in the face at close range.

After Carter was shot in the face, Brewer stated McDonald tackled "JB" and the gun fell on the ground. Brewer said one of the females picked the gun up, and Brewer heard "Damu" yell at the girl to "shoot him." Brewer reported that "Damu" then took the gun from the female, and Brewer said "Damu" pointed the gun at him and McDonald telling them to "stay back." Brewer reported that "JB" ran from the scene on foot. He stated "Damu" and the two females entered a red Oldsmobile Alero and drove away from the scene.

On 05/05/2012, Cpl. Shipley conducted a videotaped interview with Brandon McDonald. McDonald provided a similar account of the incident as Brewer. McDonald told Cpl. Shipley that "JB" threw the first punch and struck Carter on the face. McDonald stated "JB" was able to "pin" Carter up against

the Chevrolet Impala parked on the driveway of 1134 S. Maryland. McDonald said "JB" removed the pistol from his waistband. At this time, McDonald stated he got between "JB" and Carter, and he said he and Carter told "JB" to put the gun away. McDonald said "JB" then ran around the car, and when he came back around, he shot the gun at Carter. McDonald stated Carter was struck on the face by this bullet. McDonald reported that "JB" then kneeled next to Carter and pointed the gun at his face. McDonald stated he attempted to take the gun away from "JB"; however "JB" fired the gun shooting Carter in the face. McDonald continued to try to take the gun away from "JB", and during the struggle McDonald was shot in the arm.

On 05/05/12, Cpl. Neal McAmis conducted a videotaped interview with Erica Simpson. Simpson said she was at Hervey and "JB's" residence (1134 S. Maryland) with Wheeler. Simpson identified "JB" as Josh Brown. She said her, Hervey, Brown, and Wheeler were all inside when three subjects came to the residence. Simpson said she only knew the subjects as "Cuddo," "Mo Mo," and "B Dub." Simpson said those three subjects entered the house, but said she could not remember how they got in. She said someone either let them in or the subjects opened the door and walked in. Simpson said they did not force entry.

Simpson said the situation was calm when the subjects first came in, but said an argument ensued a short time later. She said there was a "beef" between the subjects about some stolen property. Simpson said during the argument, Brown pulled out a gun and held it by his (Brown's) side. She said the gun was big and black. She said the subjects exited the residence and went outside at that point.

Simpson said Brown put the gun away, but was not sure where he put it. She thought it was possibly in his waist-band. Simpson said the subjects all continued to argue outside. Simpson said "Cuddo" and Brown were arguing face to face. She said "Cuddo" pushed Brown and told him to stay back. She said it was then that Brown punched "Cuddo" and she said all the subjects started fighting with each other.

Simpson said Hervey and Brown retreated from the three subjects. She said Brown pulled out the gun again. Simpson said "Cuddo" and Brown were still arguing and said they were only a couple feet away from each other. She said "Cuddo" told Brown that he better use the gun since he (Brown) pulled it out or he ("Cuddo") would come back at a later time and "get" him. Simpson said it was then that Brown raised the gun, pointed it at "Cuddo" and fired one time. Simpson said the subjects immediately started fighting for the gun. She said she got scared and ran to the side of the house. Simpson said as she ran away she heard at least three additional gunshots. Simpson said the shooting stopped and said she came back to the front of the house. She stated it was then that she saw "Cuddo" on the ground near a vehicle. Simpson said she ran into the house, got her car keys and fled in her vehicle. Simpson said as she drove away, Hervey and Wheeler ran to her vehicle and yelled for her to let them in. She said they both got in the front seat and said Wheeler sat on Hervey's lap.

Simpson said she turned left (westbound) onto Loren and did not stop for the stop sign. She said she was stopped by a bicycle officer for the violation. Simpson said while they were stopped, she noticed Hervey making furtive movements behind the front seat. Simpson said she did not know what Hervey was doing at the time, but said she later realized he was possibly hiding the gun. She said she thought that because Hervey was adamant about not wanting her to let the police search her car when the

officer asked for consent. Simpson said she thought Hervey might have picked the gun up after the shooting.

On 05/05/12, Cpl. Curt Ringgold conducted an interview with Dhamin Hervey. During the interview, Hervey explained Brewer, McDonald, and Carter arrived at their location and knocked on the door. When Hervey opened the door the men entered and an argument started. He advised a fight proceeded, and Brown picked up a handgun that was on a table in the living room. Hervey stated the fight went outside in the front lawn, and he and Brown were fighting Brewer, Carter, and McDonald. He reported while he was fighting he heard two shots fired. Hervey said he turned and looked and saw Carter on the ground, but Carter was trying to get up. McDonald and Brown were then fighting over the gun, which fell to the ground. He said Wheeler picked up the gun, and Hervey said he took it from her. Hervey told Cpl. Ringgold that he and Wheeler got into the passenger's seat of Simpson's vehicle, and Wheeler got into the driver's seat. He advised Simpson drove away and was later stopped by an officer. Cpl. Ringgold asked if the gun was still in Simpson's car and Hervey confirmed it was. He advised he placed the gun under the driver's seat.

Tremon Brewer, Brandon McDonald, Erica Simpson, and Jaymi Wheeler were all shown photographic lineups that included Joshua K. Brown's photograph. All four subjects identified Brown as the subject who shot Javon Carter and Brandon McDonald.

On 5/5/2012, investigators from the Springfield Police Department Violent Crimes Unit and the Homicide Response Team executed a search warrant at 1134 S. Maryland. During the processing of the scene, investigators located and collected numerous spent 9mm shell casings in the front yard of the residence. The investigators also collected samples of what appeared to be blood spatter on the exterior portion of a Chevrolet Impala that was parked in the driveway near the shell casings. The investigators also found live 9mm ammunition inside the residence. The physical evidence located at the crime scene was consistent with the information obtained during the interviews of the eyewitnesses.

On 5/06/2012, Springfield Police Department investigators executed a search warrant for the red 2001 Oldsmobile Alero bearing Missouri license FG8-W3B. This vehicle was stopped and seized shortly after the shooting. During a search of the vehicle, a 9mm handgun was seized from the driver side floorboard. The handgun was concealed under the front seat. The Maverick brand handgun was loaded with a live round in the chamber and additional live rounds in the magazine.

The ammunition seized from the residence at 1134 S. Maryland, the ammunition found in the handgun, and the spent shell casings from the front yard were all the same brand and caliber.

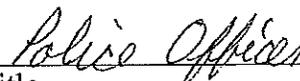
The facts contained above are true.



Signature

713

DSN



Title

State of Missouri vs. Joshua K Brown
PA File No. 077243217

COURT INFORMATION FOR WARRANT OR SUMMONS

From Prosecuting Attorney

DEFENDANT'S ADDRESS: 1134 S Maryland

CHARGE(S): Count I: Murder 2nd degree, Class A Felony
CHARGE(S): Count II: Armed criminal action, Class U Felony

BOND RECOMMENDED: \$350,000.00

REASONS: defendant has fled and his current whereabouts are unknown

SPECIAL CONDITIONS: Obey all laws, no contact with witnesses or victim's family, additional conditions to be set in open court if bond is posted

OFFICER & AGENCY: Allen Neal, Springfield Police Dept.

DEFENDANT DESCRIPTION:

DOB: [REDACTED]/1991

SEX: Male

RACE: Black

SSN: [REDACTED]

DLN:

DLN STATE:

HEIGHT: 5'10

WEIGHT: 170

HAIR:

EYES:

<input checked="" type="checkbox"/> Issue Warrant <input type="checkbox"/> Issue Summons

Any pending cases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Case number of pending case in Division of Assignment per Administrative Order of 2/26/07:
APA Name/Bar No. assigned: T Myers 50252