

915 F.3d 1195

United States Court of Appeals, Eighth Circuit.

UNITED STATES of America, Plaintiff - Appellee

v.

Ronald F. WHITE, Jr., Defendant - Appellant

No. 18-2233

Submitted: January 18, 2019

Filed: February 15, 2019

Rehearing and Rehearing En
Banc Denied March 27, 2019

Synopsis

Background: Defendant was convicted in the United States District Court for the Western District of [Missouri](#), [Dean Whipple](#), J., 2015 WL 13696617, of possession of unregistered firearm and possession of stolen firearm. The Court of Appeals, 863 F.3d 784, affirmed in part, reversed in part, and remanded. On remand, the United States District Court for the Western District of [Missouri](#), [Roseann A. Ketchmark](#), J., convicted defendant of possession of unregistered firearm, and he appealed.

Holdings: The Court of Appeals, [Shepherd](#), Circuit Judge, held that:

[1] shotgun was subject to National Firearms Act's registration mandate;

[2] there was sufficient circumstantial evidence that defendant constructively possessed shotgun to support his conviction; and

[3] there was sufficient circumstantial evidence that defendant knew that shotgun had bore diameter of more than one-half inch to support his conviction.

Affirmed.

West Headnotes (13)

[1] **Criminal Law**

🔑 Presumptions

Criminal Law

🔑 Trial de novo

Following bench trial, Court of Appeals reviews sufficiency of evidence de novo, viewing evidence in light most favorable to government, resolving conflicts in government's favor, and accepting all reasonable inferences that support verdict.

[Cases that cite this headnote](#)

[2] **Criminal Law**

🔑 Degree of proof

Criminal Law

🔑 Relative strength of circumstantial and direct evidence

Verdict may be based on circumstantial as well as direct evidence, and evidence need not exclude every reasonable hypothesis except guilt.

[Cases that cite this headnote](#)

[3] **Criminal Law**

🔑 Inferences or hypotheses from evidence

If evidence rationally supports two conflicting hypotheses, reviewing court will not disturb conviction.

[Cases that cite this headnote](#)

[4] **Internal Revenue**

🔑 Firearms and destructive devices

To convict defendant of possession of unregistered firearm, government must prove beyond reasonable doubt that: (1) defendant knew he had possession of firearm; (2) he knew of firearm's physical characteristics bringing it within National Firearms Act's ambit; and (3) firearm was not registered to

defendant in National Firearms Registration and Transfer Record. 26 U.S.C.A. § 5861(d).

[Cases that cite this headnote](#)

[5] **Internal Revenue**

🔑 Firearms and destructive devices

Defendant's 12-gauge shotgun with bore diameter of .729 inches was subject to National Firearms Act's registration mandate. 26 U.S.C.A. §§ 5845(a), 5845(f).

[Cases that cite this headnote](#)

[6] **Internal Revenue**

🔑 Firearms and destructive devices

In cases under National Firearms Act involving destructive devices, government need not prove that firearm was capable of operating as designed or could readily be put in operating condition because it is not necessary that device actually function as intended. 26 U.S.C.A. § 5845(a).

[Cases that cite this headnote](#)

[7] **Weapons**

🔑 Constructive possession

As element of possession of firearm offenses, knowing possession may be actual or constructive.

[Cases that cite this headnote](#)

[8] **Weapons**

🔑 Constructive possession

Constructive possession of firearm requires that defendant has dominion over premises where firearm is located, or control, ownership, or dominion over firearm itself.

[Cases that cite this headnote](#)

[9] **Weapons**

🔑 Constructive possession in general

Constructive possession of firearm may be established by circumstantial evidence alone,

but government must show sufficient nexus between defendant and firearm.

[Cases that cite this headnote](#)

[10] **Weapons**

🔑 Constructive possession

Constructive possession of firearm requires knowledge firearm's presence.

[Cases that cite this headnote](#)

[11] **Weapons**

🔑 Intent, knowledge, purpose

Knowledge of firearm's presence can be inferred from circumstantial evidence, including any external indications signaling weapon's nature.

[Cases that cite this headnote](#)

[12] **Internal Revenue**

🔑 Weight and sufficiency of evidence in general

There was sufficient circumstantial evidence that defendant constructively possessed shotgun to support his conviction for possession of unregistered firearm, despite defendant's contention that there was no evidence that he knew of contents of duffel bag containing shotgun, in light of evidence that he had access to and control over duffel bag that was found in his bedroom closet, and that bag also contained revolver with his DNA on it and train ticket in his name. 26 U.S.C.A. § 5845(a).

[Cases that cite this headnote](#)

[13] **Internal Revenue**

🔑 Weight and sufficiency of evidence in general

There was sufficient circumstantial evidence that defendant knew that shotgun had bore diameter of more than one-half inch to support his conviction for possession of unregistered firearm, despite defendant's contention that there was no evidence that

he had ever see or handled shotgun or was familiar with shotguns in general, in light of evidence that defendant knowingly possessed shotgun, and that shotgun's bore diameter was approximately .752 inches. 26 U.S.C.A. §§ 5845(a), 5845(f), 5861(d).

Cases that cite this headnote

***1196** Appeal from United States District Court for the Western District of Missouri - Kansas City

Attorneys and Law Firms

Joseph M. Marquez, Assistant U.S. Attorney, Jeffrey Q. McCarther, Assistant U.S. Attorney, Phillip Eugene Porter, Assistant U.S. Attorney, U.S. Attorney's Office, Kansas City, MO, for Plaintiff - Appellee.

Anita L. Burns, Assistant Federal Public Defender, Rebecca L. Kurz, Federal Public Defender's Office, Kansas City, MO, for Defendant - Appellant.

Ronald F. White, Jr., Kansas City, MO, Pro Se.

Before GRUENDER, WOLLMAN, and SHEPHERD, Circuit Judges.

Opinion

SHEPHERD, Circuit Judge.

***1197** Following our prior remand, [United States v. White](#), 863 F.3d 784, 787 (8th Cir. 2017) (en banc) (reversing conviction for possession of an unregistered firearm and remanding for a new trial), and after a bench trial, Ronald F. White, Jr. was convicted of possession of an unregistered firearm, in violation of 26 U.S.C. §§ 5841, 5861(d), and 5871. Police officers found the firearm at issue, a 12-gauge shotgun known as a “Street Sweeper,” in a duffel bag in a bedroom closet at White's parents' residence. White would stay in the bedroom during his visits. The district court¹ sentenced White to 46 months imprisonment, with credit for time served, and three years of supervised release. On appeal, White argues the evidence presented at trial was insufficient to show he constructively possessed the shotgun or that he was aware of the shotgun's physical characteristics that brought it within the ambit of the National Firearms Act, 26 U.S.C.

§ 5801 et seq. Having jurisdiction under 28 U.S.C. § 1291, we affirm.

I.

[1] [2] [3] “Sufficiency of evidence is highly fact intensive,” [United States v. Patton](#), 899 F.3d 560, 563 (8th Cir. 2018), and “[o]ur review of the sufficiency of evidence is limited.” [United States v. Beltz](#), 385 F.3d 1158, 1163 (8th Cir. 2004). “We review the sufficiency of the evidence de novo, viewing evidence in the light most favorable to the government, resolving conflicts in the government's favor and accepting all reasonable inferences that support the verdict.” [United States v. Grimes](#), 825 F.3d 899, 902 (8th Cir. 2016) (quoting [United States v. Washington](#), 318 F.3d 845, 852 (8th Cir. 2003)). This same standard of review applies to bench trials. See [United States v. Erhart](#), 415 F.3d 965, 969 (8th Cir. 2005). “A [] verdict may be based on circumstantial as well as direct evidence, and [t]he evidence need not exclude every reasonable hypothesis except guilt. Indeed, [i]f the evidence rationally supports two conflicting hypotheses, the reviewing court will not disturb the conviction.” [United States v. McArthur](#), 573 F.3d 608, 614 (8th Cir. 2009) (alterations in original) (internal quotation marks and citations omitted). We “will reverse only if there is *no* construction of the evidence that supports the verdict.” [United States v. Provost](#), 237 F.3d 934, 937 (8th Cir. 2001) (emphasis added).

II.

[4] [5] [6] “Section 5861(d) criminalizes possession of an unregistered ‘firearm.’ ” [White](#), 863 F.3d at 786 (quoting 26 U.S.C. § 5845(a), (f)). The government must prove the following elements beyond a reasonable ***1198** doubt. *First*, that White knew he had possession of the firearm. See [United States v. Dukes](#), 432 F.3d 910, 915 (8th Cir. 2006). *Second*, that he “knew of the physical characteristics of the [firearm] bringing [it] within the ambit of the Act.” [White](#), 863 F.3d at 790. The Act defines a firearm “to include a ‘destructive device,’ the barrel of which has a bore of more than one-half inch in diameter.”² [Id.](#) at 786 (quoting 26 U.S.C. § 5845(a), (f)). “The Street Sweeper, a 12-gauge shotgun, is subject to the Act's registration mandate because it has a bore diameter of .729 inches.” [Id.](#) “[K]nowledge of the bore diameter is a necessary element of the offense.” [Id.](#) at 792.

Third, that the firearm was “not registered to [White] in the National Firearms Registration and Transfer Record.” 26 U.S.C. § 5861(d). White challenges only the first and second elements.

[7] [8] [9] [10] [11] “Knowing possession may be actual or constructive.” Grimes, 825 F.3d at 902 (citing United States v. Hamilton, 332 F.3d 1144, 1150 (8th Cir. 2003)). The government’s case against White was based on constructive possession. “Constructive possession requires that the defendant has dominion over the premises where the firearm is located, or control, ownership, or dominion over the firearm itself. Constructive possession may be established by circumstantial evidence alone, but the government must show a sufficient nexus between the defendant and the firearm.” Id. (quoting United States v. Garrett, 648 F.3d 618, 622 (8th Cir. 2011)). “[C]onstructive possession requires knowledge of the presence of a firearm” United States v. White, 816 F.3d 976, 985 (8th Cir. 2016) (citing United States v. Battle, 774 F.3d 504, 511 (8th Cir. 2014)). In the usual case, “the defendant’s control over the area where the weapon was found ... gives rise to a strong inference of knowledge,” which “may be rebutted if other evidence contradicts it.” United States v. Dooley, 580 F.3d 682, 686 (8th Cir. 2009). Additionally, “knowledge can be inferred from circumstantial evidence, including any external indications signaling the nature of the weapon.” Staples v. United States, 511 U.S. 600, 615 n.11, 114 S.Ct. 1793, 128 L.Ed.2d 608 (1994).

A.

[12] First, regarding whether White knew he possessed the shotgun, the district court found “the duffel bag containing the Street Sweeper had the Amtrak train ticket in [White’s name],” the “revolver found in the duffel bag along with the Street Sweeper had [White’s] DNA,” the “owners of the home denied knowledge of the guns and the duffel bag,” and “the duffel bag was found in the bedroom where [White] sometimes stayed.” The district court found it “significant that the duffel bag was found in that bedroom[s] closet,” and that testimony established that White “had some clothes there.” Cf. Patton, 899 F.3d at 563 (“That [the defendant]’s personal documents were found with the ammunition [in a drawer] links [him] to the ammunition and supports a reasonable inference that he knew it was there.”); United States v. Boykin, 986 F.2d

270, 274 (8th Cir. 1993) (finding sufficient evidence of constructive possession of a firearm because the evidence showed the defendant’s “personal belongings were in the bedroom where the firearms were located”). There was ample circumstantial evidence for the district court to reasonably infer White constructively possessed the shotgun because he had access to and control over the duffel bag found in his bedroom closet and had knowledge of the shotgun because it was found inside the duffel bag along with the revolver, which had his DNA on it, and the train ticket in his name.

White asserts, however, that the district court’s findings establish he had constructive possession of the duffel bag, not constructive possession of the shotgun. He asserts there was no evidence from which the district court could infer he knew of the contents inside the duffel bag. See Appellant’s Br. 21 (“Even if Mr. White had dominion and control over the bedroom or the duffel bag that does not mean that he knew there was a firearm in the bag that had a bore over one-half inch in diameter.”). At oral argument, defense counsel acknowledged it would be a “reasonable inference” that White was “in the bag at some point in time” but, White argues, “[t]he government did not present evidence that [he] opened the duffel bag *while the Street Sweeper was inside it*” nor that he placed the revolver inside the bag “at the time the bag contained the Street Sweeper.” Id. at 21-22 (emphasis added). In other words, White states it is unknown how and when the shotgun got into the duffel bag.

White’s arguments, however, are merely hypothetical. Here, at the very least, “the evidence rationally supports two conflicting hypotheses.” McArthur, 573 F.3d at 614 (internal quotation marks omitted). Although both hypotheses may be reasonable, it is White’s that we must disregard on review. See id. This is notwithstanding White’s reliance on United States v. Pace, 922 F.2d 451 (8th Cir. 1990). In Pace, we concluded the evidence was “insufficient to justify a reasonable inference [the defendant] knew he was driving a car full of cocaine” because there was no evidence he “opened or examined” the luggage containing the cocaine, which belonged to another individual in the car. Id. at 453. Here, unlike in Pace, defense counsel acknowledged it would be a “reasonable inference” that White was “in the bag at some point in time.”

B.

Next, regarding whether White knew the shotgun had a bore diameter of more than one-half inch, the district court found “the person possessing the gun is easily aware of the bore being more than a half inch.” White asserts “[t]he court did not find [he] had ever seen or handled the Street Sweeper” nor did it find he “was familiar with Street Sweeper shotguns in particular or shotguns in general, such that he would know that 12 gauge shotguns have bores wider than one-half inch.” Appellant’s Br. 23. We have already discussed the sufficiency of the evidence as to White’s knowing possession of the shotgun. Further, in the absence of direct evidence, the district court “can infer the requisite knowledge [of the physical characteristics of a firearm] from the condition of the [firearm] ... including any external indications signaling the nature of the weapon.” [United States v. Hutchins](#), 292 F. App’x 842, 844 (11th Cir. 2008) (per curiam) (internal quotation marks omitted); see also [Staples](#), 511 U.S. at 615 n.11, 114 S.Ct. 1793; [United States v. Spinner](#), 152 F.3d 950, 963 (D.C. Cir. 1998) (Garland, J., dissenting) (“[T]he law has no preference for direct evidence over circumstantial, ... and often it is the latter that is the more reliable.”).

[13] In [Hutchins](#), the court noted that “[t]estimony about the length of the gun’s barrel and the admission of the gun into evidence can be sufficient circumstantial evidence from which a jury could infer the defendant

knew the length of the gun barrel was less than 18 inches.” *1200 292 F. App’x at 844 (citing [United States v. Miller](#), 255 F.3d 1282, 1287 (11th Cir. 2001)); see also [United States v. Gonzales](#), 535 F.3d 1174, 1179 (10th Cir. 2008) (finding sufficient evidence for jury to reasonably infer the defendant knew the shotgun’s barrel was less than eighteen inches in length because of testimony from officers regarding its length and because the shotgun was also admitted into evidence). Although [Hutchins](#) involved testimony about the length of a gun’s barrel, we see no meaningful distinction between testimony about the length of a shotgun’s barrel versus the bore size of the barrel, especially if the shotgun was admitted into evidence. Here, there is sufficient evidence of White’s knowing possession of the shotgun. Moreover, there is testimony that the shotgun’s bore diameter was approximately .752 inches, and the shotgun was admitted into evidence. Accordingly, there was ample circumstantial evidence for the district court to reasonably infer White knew the shotgun had a bore diameter of more than one-half inch.

III.

The judgment is affirmed.

All Citations

915 F.3d 1195

Footnotes

- 1 The Honorable Roseann A. Ketchmark, United States District Judge for the Western District of Missouri.
- 2 In cases involving destructive devices, the government need not prove that the firearm was capable of operating as designed or could readily be put in operating condition because “it is not necessary that the device actually function as intended.” [United States v. Ragusa](#), 664 F.2d 696, 700 (8th Cir. 1981); accord [United States v. Hammond](#), 371 F.3d 776, 781 n.3 (11th Cir. 2004).

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 18-2233

United States of America

Appellee

v.

Ronald F. White, Jr.

Appellant

Appeal from U.S. District Court for the Western District of Missouri - Kansas City
(4:13-cr-00440-RK-1)

ORDER

The petition for rehearing en banc is denied. The petition for rehearing by the panel is also denied.

March 27, 2019

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

Exhibits:

P D 105

Case No. 13-00440-01-CR-W-RK

REPORT # 2013 74714 -SDATE: 10-31-2013PAGE 1 OF 3

EVIDENCE LOG

OFFENSE: Drug Violation / SEARCH WARRANTSCENE LOCATION: 1417 SW 44TH ST. Cape Summit, MOCOLLECTED:
PHOTOGRAPHED:
LOCATED BY:

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
1	MARIJUANA PLANT MATERIAL AND ASSORTED BLUNT ENDS	2 ND FLOOR, WEST "TV Room"	CH	SB	LFF
2	MARIJUANA PLANT MATERIAL IN MASON JAR	2 ND FLOOR, WEST "TV Room" ON COFFEE TABLE	CH	SB	LFF
3	ASSORTED DRUG PARAPHERNALIA (GRINDER, SMOKING PIPE, BACULIF)	2 ND FLOOR, WEST "TV Room" ON COFFEE TABLE	CH	SB	LFF
4	DIGITAL SCALE AND MARIJUANA RESIDUE CONTAINED IN RED NYLON BAG	2 ND FLOOR, WEST "TV Room" CLOSET	VH	SB	LFF
5	DIGITAL ELECTRONIC SCALE	2 ND FLOOR, WEST "TV Room" CLOSET	VH	SB	LFF
6	4 MASON JARS w/RESIDUES	2 ND FLOOR, WEST "TV Room" CLOSET			
7	MULTIPLE PLASTIC BASSIES w/MARIJUANA RESIDUE	2 ND FLOOR, WEST "TV Room" CLOSET	VH	SB	LFF
8	MAIL ADDRESSED TO RON WHITE AND RON WHITE JR.	2 ND FLOOR, WEST "TV Room" CLOSET	VH	SB	LFF
9	HANDWRITTEN DOCUMENT BY "RON RON" LYRICS; BROCHURE FROM CAMOUFLAGE VSAK, FROM HOTEL	2 ND FLOOR, S/E OFFICE, FROM CAMOUFLAGE VSAK, CLOSET SHELF	EZ	SB	LFF
10	.357 CAL REMOVOL, 6 SHOT, CARTRIDGE	S/W BEDROOM, 2 ND FLOOR	MM	SP	LFF

List

Preparer: L. Freeman
12-0-075Photographed by: S. Bole SEvidence Collected by: L. Freeman

EVIDENCE LOG

REPORT # 2013-74714 -SDATE: 10-31-2013PAGE 2 OF 3OFFENSE: DRUG VIOLATION / SEARCH WARRANTSCENE LOCATION: 1417 SW 44th ST. Lapeer Summit, MO

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
<u>11</u>	<u>JK83947</u> <u>S/N - 00893</u> , STAINLESS STEEL <u>W/ WOOD GRIP</u> <u>6 LNE ROUNDS UNFIRED</u> <u>.357 MAG. AMMUNITION</u> <u>"FEDERAL"</u>	<u>IN BLACK DUFFLE BAG, TOP</u> <u>SHelf OF CLOSET</u> <u>FROM CYLINDER OF</u> <u>ITEM #10</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>12</u>	<u>ROMANIAN DRAGO 7.62x39</u> <u>S/N - 1971DH0335</u>	<u>S/W BEDROOM, 2ND FLOOR,</u> <u>IN BLACK DUFFLE BAG, TOP</u> <u>SHELF FROM CLOSET</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>13</u>	<u>30 RD. MAGAZINE, BLACK</u> <u>CONTAINING 30 RDS .762x39mm</u> <u>AMMO</u>	<u>LOADED IN ITEM #12</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>14</u>	<u>BUSHNETER XM15 RIFLE,</u> <u>S/N - BFI441431</u>	<u>S/W BEDROOM, 2ND FLOOR,</u> <u>IN BLACK DUFFLE BAG,</u> <u>TOP SHELF CLOSET</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>15</u>	<u>30 RD MAGAZINE, BLACK,</u> <u>20 RDS .223 ammo</u>	<u>LOADED IN ITEM #14</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>16</u>	<u>90 RD. DAWN MAGAZINE</u> <u>24 RDS .223 AMMO</u>	<u>CONTAINED IN BLACK</u> <u>DUFFLE BAG, SW BEDROOM</u> <u>TOP SHELF OF CLOSET</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>
<u>17</u>	<u>STAG ARMS 556 CAL</u> <u>S/N - 146252</u>	<u>S/W BEDROOM, 2ND FLOOR</u> <u>IN BLACK DUFFLE BAG, TOP</u> <u>SHELF OF CLOSET</u>	<u>MM</u>	<u>SB</u>	<u>LFF</u>

List

Prepared: L. Freeman
12-0-075Photographed
by: S. ColesEvidence
Collected by: L. Freeman

EVIDENCE LOG

REPORT # 2013-74714-SDATE: 10-31-2013PAGE 3 OF 3OFFENSE: DRUG VIOLATION / SEARCH WARRANTSCENE LOCATION: 1412 SW 44th ST., LEE'S SUMMIT, MO

LOCATED BY:

PHOTOGRAPHED:

COLLECTED:

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
18	TENNINGS BEYCO ARMS 380 AUTO, S/N-212399 UNLOADED	DRESSER DRAWER OF 2ND FLOOR, S/W BEDROOM	MM	SB	LFF
19	3 .380 CAL. MAGAZINES 24 RDS .380 CAL. CARTRIDGES 1 HS ACP AMMO.	DRESSER DRAWER OF 2ND FLOOR, S/W BEDROOM	MM	SB LFF	LFF
20	FOREIN MOD. L380 S/N-108265, W/MAGAZINE, UNLOADED	GROUND FLOOR (MASTER) ON SHELF, IN CLOSET HANGING IN T-SHIRT	EZ	SB	LFF
21	S-S INC. 12.6VAC AUTO SHOTGUN U/DUM - S/N- 12277	IN BLACK DUFFLE BAG, TOP SHELF OF CLOSET, S/W 2ND FLOOR BEDROOM	MM	SB	LFF
22	PLASTIC BAGGIE W/HAND ROLLED MARIJUANA CIGARETTES	FROM MASTER BEDROOM NIGHT STAND, NEXT TO BED	CH	SB	LFF
23	GLASS MASON JAR CONTAINING MARIJUANA	FROM MASTER BEDROOM CLOSET IN BLACK COTTON TYPE T-SHIRT	CH	SB	LFF
24	GRINDAL (HANDGUN CYLINDER) W/MARIJUANA	MASTER BED ROOM CLOSET FROM T-SHIRT POKET	EZ	SB	LFF
25	AIRTRAK TICKET RECEIPT AND CREDIT CARD RECEIPT RAINWATER CLOSET, W BAG	2ND FLOOR, S/W BEDROOM	MM	SB	LFF

List

Preparer: L. Freeman
12-0-075Photographed
by: S. BalesEvidence
Collected by: L. Freeman

Exhibits:

P D105

Case No. 13-00440-01-CR-W-RK

REPORT # 2013 74714 -SDATE: 10-31-2013PAGE 1 OF 3

EVIDENCE LOG

OFFENSE: Drug Violation / SEARCH WARRANTSCENE LOCATION: 1417 SW 44th St. Cape's Summit, MOLOCATED BY:
PHOTOGRAPHED:
COLLECTED:

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
1	MARIJUANA PLANT MATERIAL AND ASSORTED BLUNT ENDS	2ND FLOOR, WEST "TV ROOM" UNCOFFEE TABLE	CH	SB	LFF
2	MARIJUANA PLANT MATERIAL (IN MASON JAR)	2ND FLOOR, WEST "TV ROOM" ON COFFEE TABLE	CH	SB	LFF
3	ASSORTED MARIJUANA PARAPHRANES (CIGARETTE, SMOKING PIPE, BACON) AND CIGARETTE	2ND FLOOR, WEST "TV ROOM" ON COFFEE TABLE	CH	SB	LFF
4	DIGITAL SCALE AND MARIJUANA RESIDUE CONTAINED IN RED NYLON BAGS	2ND FLOOR, WEST "TV ROOM" CLOSET	VH	SB	LFF
5	DIGITAL ELECTRONIC SCALE	2ND FLOOR, WEST "TV ROOM" CLOSET	VH	SB	LFF
6	4 MASON JARS W/RESIDUES	2ND FLOOR, WEST "TV ROOM" CLOSET			
7	MULTIPLE PLASTIC BASSIES W/MARIJUANA RESIDUE	2ND FLOOR, WEST "TV ROOM" CLOSET	VH	SB	LFF
8	MAIL ADDRESSED TO RON WHITE AND RON WHITE JR.	2ND FLOOR, WEST "TV ROOM" CLOSET	VH	SB	LFF
9	HANDWRITTEN DOCUMENT BY "RON RON" LYRICS, BROCHURE FROM CAMPUS VAG, FROM HOTEL	2ND FLOOR, S/E OFFICE, FROM CAMPUS VAG, CLOSET SHELF	EZ	SB	LFF
10	.357 CAL REMOVED, 6 SHOT, CARTRIDGE	S/W BEDROOM, 2ND FLOOR	MM	SP	LFF

List

Preparer: L. Fierman
12-0-075Photographed by: S. Bole SEvidence Collected by: L. Fierman

EVIDENCE LOG

REPORT # 2013-74714 -SDATE: 10-31-2013PAGE 2 OF 3OFFENSE: DECK VIOLATION / SEARCH WARRANTSCENE LOCATION: 1417 SW 44th ST. Lees Summit, MOLOCATED BY:
PHOTOGRAPHED:
COLLECTED:

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
11	2K83947 S/N - 02893, STAINLESS STEEL W/ WOOD GRIP 6 LNE BOUNDS UNFIRED .357 MAG. AMMUNITION "FEDERAL"	IN BLACK DUFFLE BAG, TOP SHELF OF CLOSET FROM CYLINDER OF ITEM #10	MM	SB	LFF
12	ROMANIN DAKE 7.62x39 S/N - 1971DH0335	S/W BEDROOM, 2ND FLOOR, IN BLACK DUFFLE BAG, TOP SHELF FROM CLOSET	MM	SB	LFF
13	30 RD. MAGAZINE, BLACK CONTAINING 30 RDS .762x39mm AMMO	LOADED IN ITEM #12	MM	SB	LFF
14	BUSHNETER XM15 RIFLE, S/N - BFI441431	S/W BEDROOM, 2ND FLOOR, IN BLACK DUFFLE BAG, TOP SHELF CLOSET	MM	SB	LFF
15	30 RD MAGAZINE, BLACK, 20 RDS .223 ammo	LOADED IN ITEM #14	MM	SB	LFF
16	30 RD. DWM MAGAZINE 24 RDS. .223 ammo	CONTAINED IN BLACK DUFFLE BAG, SW BEDROOM TOP SHELF OF CLOSET	MM	SB	LFF
17	STAG ACRS 556 CAL S/N - 146252	S/W BEDROOM, 2ND FLOOR IN BLACK DUFFLE BAG, TOP SHELF OF CLOSET	MM	SB	LFF

List

Preparer: L. Freeman
12-0-075Photographed
by: S. BolesEvidence
Collected by: L. Freeman

EVIDENCE LOG

REPORT # 2013-74714-SDATE: 10-31-2013PAGE 3 OF 3OFFENSE: DRUG VIOLATION / SEARCH WARRANTSCENE LOCATION: 1417 SW 44th ST., LEE'S SUMMIT, MO

ITEM NUMBER	EVIDENCE DESCRIPTION	LOCATION	LOCATED BY:	PHOTOGRAPHED:	COLLECTED:
18	TENNIS BECO ARMS	DRESSER DRAWER OF	MM	SB	LFF
	.380 AUTO, S/N-212399	2ND FLOOR, S/W BEDROOM			
	UNLOADED				
19	3 .380 CAL. MAGAZINES	DRESSER DRAWER OF	MM	SB	LFF
	24 ADS .380 CAL. CARTRIDGES	2ND FLOOR, S/W BEDROOM			
	(HS ACP AMMO.)				
20	LOREN MOD. L300	GROUND FLOOR (MASTER)	EZ	SB	LFF
	S/N-108265, W/MAGAZINE	ON SHELF, IN CLOSET			
	UNLOADED	CONTAINED IN T-SHIRT			
21	S-S INC. 12-GUAGE	IN BLACK DUFFLE BAG, TOP	MM	SB	LFF
	AUTO SHOTGUN U/DUM - S/N-	SHELF OF CLOSET, S/W			
	12277	2ND FLOOR BEDROOM			
22	PLASTIC BAGGIE W/HAND	FROM MASTER BEDROOM	CH	SB	LFF
	ROLED MARIJUANA CIGARETTES	NIGHT STAND, NEXT TO			
		BED			
23	GLASS MASON JAR CONTAINING	FROM MASTER BEDROOM	CH	SB	LFF
	MARIJUANA	CLOSET IN BLACK			
		CIGARETTE TYPE JACKET			
24	GRINDAL (HANDGUN CYLINDER)	MASTER BED ROOM CLOSET	EZ	SB	LFF
	W/MARIJUANA	FROM POCKET PILE/UP			
25	AMTRAK TICKET RECEIPT	2ND FLOOR, S/W BEDROOM	MM	SB	LFF
	AND CREDIT CARD RECEIPT RAINWATER CLOSET, IN BAG				

List

Preparer: L. Freeman
12-0-075Photographed
by: S. BalesEvidence
Collected by: L. Freeman

1417 SW 44th SW Affidavit Return and Receipt



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

Judge or Division:	Case Number: IPD CRN#2013-74714 1316 MC 14814

(Date File Stamp)

 BY
 FILED
 CIRCUIT COURT
 JACKSON CO., MO.

13 OCT 29 PM 2:26

Application for Search Warrant

I am a ☒ peace officer ☐ prosecuting attorney.I am submitting this application by ☒ hard-copy ☐ facsimile ☐ other electronic means: _____

Being duly sworn and pursuant to Section 542.276 RSMo, I state upon information and belief the following:

Describe facts and/or attach affidavit showing probable cause.

Det. Lorin Freeman of the Career Criminal Unit, hereafter referred to as "Your Affiant", will testify that During the early to mid 2013, a series of homicides were reported to have occurred in Kansas City, Missouri, which were suspected to be related to ongoing gang related violence, including but not limited to a home invasion robbery, reportedly having occurred in Grandview, Missouri. In the course of these investigations being conducted by the Kansas City, Missouri Police Department, Terrance DIAMOND, aka. "T-Real", Andre SIMMONS, aka. "Malone", and Ronald WHITE, aka. "Ron Ron", were identified as persons of interest in these investigations. In September, 2013, the Independence, Missouri Police Department Career Criminal Unit, in conjunction with the Kansas City, Missouri Police Department Career Criminal Section subsequently initiated surveillance operations and intelligence gathering relative to DIAMOND, WHITE, SIMMONS and their associates at the request of the Kansas City, Missouri Police Department Homicide Unit.

Your affiant will testify that during the months of September and October of 2013, sources of information and intelligence were developed with information relative to a residence, frequently visited by WHITE, 1417 SW 44th Street, Lee's Summit, Jackson County, Missouri. Intelligence sources, including but not limited to law enforcement computer databases indicated persons likely related to WHITE resided at the identified residence. Additionally, SIMMONS, a previously identified criminal associate of WHITE was believed to have been present at the identified residence for extended periods of time, which was also confirmed through surveillance operations conducted by investigators.

On 10-28-2013, at approximately 0724 hours, Your affiant initiated surveillance at the above identified residence. A trash/waste camister was observed positioned at the northernmost edge of the driveway of the residence, immediate next to the pavement of the roadway of SW 44th Street, which appeared to contain bagged, waste material which was abandoned. Your affiant contacted officials with the responsible waste collection company, and collected the waste material, approximately two trash bags and two cardboard bottled beer containers, which were isolated as the only materials contained in the hopper of the trash collection vehicle.

Your affiant delivered the abandoned waste materials to a covert location and examined the contents which included but were not limited to:

- Qty. 1, segment of brown tobacco wrapper containing what appeared to be and field tested positive as marijuana
- Qty. 1, segment of brown tobacco wrapper containing what appeared to be and field tested positive as marijuana
- Multiple segments of brown tobacco wrappers containing what appeared to be and field tested positive as marijuana, and loose marijuana plant material
- Multiple tobacco wrapper packages, labeled "Zig-Zag", multi-colored
- Lee's Summit Water Department correspondence addressed to Ronald WHITE and Rachelle WHITE, 1417 SW 44th Street, Lee's Summit, Missouri, 64082

In Det. Lorin Freeman's training and experience, persons who engage in the criminal act of possession of illegal drugs, will commonly:

A. Secrete on or about their persons, with their residences and/or vehicles illegal drugs, packaging, containers, and paraphernalia commonly used in the ingestion of illegal drugs, including but not limited to tobacco wrappers and/or smoking pipes, records, ledgers, or other documents commonly associated with the purchase, and/or delivery of illegal drugs, and bulk US Currency discovered in close proximity to illegal drugs obtained through the sale of or made available to purchase illegal drugs, and valuable items of property used to trade for illegal drugs in lieu of Currency.

1 of 2



542.276 RSMo

JMM_Ronald F. White, Jr.

February 12, 2014

000055

It is unlawful in the State of Missouri to possess any amount of Marijuana plant material, and/or any of its derivatives.

Marijuana is a Schedule I Controlled Substance.

Det. Freeman has been a law enforcement officer, certified by the Missouri POST since July 1993 and has served as a commissioned law enforcement officer since that time. Det. Freeman has served in a uniformed capacity, as well as a Detective, assigned to the Drug Enforcement Administration Task Force, Group 43 of the KCDO, for three years, where Det. Freeman engaged in multiple illegal drug related investigations, and their associated offenses. Det. Freeman has also served as a Detective, assigned to the Career Criminal Unit Task Force since January 2009. Since that date, Det. Freeman has participated in multiple criminal investigations regarding weapons related assaults, homicides, and other criminal acts of violence.

Further your affiant sayeth not.

Affidavit(s) attached ☐ Yes ☒ No

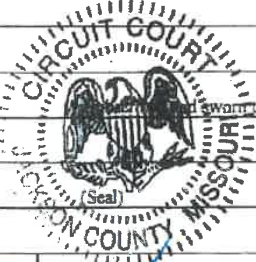
Describe in detail the person, place, or thing to be searched.

- The residence located at 1417 SW 44th Street, Lee's Summit, Jackson County, Missouri, 64082. The residence is a single family dwelling, two story structure, brown in color with light tan trim. The roof of the structure is constructed with dark grey/black composite shingle roofing material. The residence is the fourth (4th) structure east of the intersection of Stoney Creek Drive, on the south side of SW 44th Street, facing north. The numerals "1417" are displayed to the right of the front (north) door, and are black in color. The structure has a three car garage, located to the west of the north door.

Property to be seized. [Describe in detail the property, article, material, substance, or person to be searched for and seized.]

- Marijuana, a Schedule I Controlled Substance, and/or any of its derivatives
- Drug Paraphernalia or other items commonly used in the production, distribution, delivery, packaging, and/or ingestion of marijuana or other illegal drugs
- Records, documents, ledgers, receipts relative to the distribution, sale, and/or delivery of marijuana, any of its derivatives, or other illegal drugs
- Bulk United States Currency found in close proximity to marijuana, other illegal drugs, and/or Records, documents, ledgers, and/or receipts relative to the distribution, sale, and/or delivery of methamphetamine or other illegal drugs
- Firearms stored in close proximity to marijuana and/or other illegal drugs, used in the defense of the residence and its occupants in the protection of marijuana and/or other illegal drugs being stored there
- Surveillance equipment used to thwart the investigative efforts of law enforcement officials, including but not limited to, cameras, camera equipment, computer or television monitors for cameras, cables, wiring, digital storage devices for surveillance systems including computer hard drives and/or other memory storage devices

Based on this information, I request that the court issue a Search Warrant as provided by law.

		Det. Doran K. Freeman Applicant	
		10-29-2013 Date	
sworn to before me on this		Person Authorized to Administer Oaths	
☐ AM ☒ PM Date and Time of Application		Prosecuting Attorney Jason Starbuck, Jackson County, MO	
		Jackson	County, MO



IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI

Judge or Division:	Case Number: 2013-74714 1316-MC-14814
Name and Title of Person Making Application: Det. Loran Freeman, #1134 IPD CCU	

(Date File Stamp)

 BY
 JUDGE
 JACSON CO., MO. -1
 FILED

13 OCT 29 PM 2:26

Search Warrant

State of Missouri to any Peace Officer in Missouri:

Based on information provided in a verified application/affidavit, the Court finds probable cause to warrant a search for and/or seizure of the following:

- ☒ Property, article, material or substance that constitutes evidence of the commission of a crime;
- ☐ Property that has been stolen or acquired in any manner declared an offense;
- ☐ Property for which possession is an offense under the laws of this state;
- ☐ Any person for whom a valid felony arrest warrant is outstanding;
- ☐ Deceased human fetus or corpse, or part thereof;
- ☐ Other (Specify - See Missouri Revised Statute Section 542.271)

You are commanded to search, seize, and photograph or copy, as applicable, the person, place, or thing described below. Photographs or copies of the seized property, article, materials, substance, or person shall be filed with the Court within 10 days.

- ☐ Furthermore, entry into the residence may be made without knocking and announcing the presence of law enforcement and their purpose due to safety concerns enumerated in the affidavit of the search warrant.

The person, place or thing to be searched is described as follows:

- The residence located at 1417 SW 44th Street, Lee's Summit, Jackson County, Missouri, 64082. The residence is a single family dwelling, two story structure, brown in color with light tan trim. The roof of the structure is constructed with dark grey/black composite shingle roofing material. The residence is the fourth (4th) structure east of the intersection of Stoney Creek Drive, on the south side of SW 44th Street, facing north. The numerals "1417" are displayed to the right of the front (north) door, and are black in color. The structure has a three car garage, located to the west of the north door.

The property, article, material, substance or person to be searched for and seized is described as follows:

- Marijuana, a Schedule I Controlled Substance, and/or any of its derivatives
- Drug Paraphernalia or other items commonly used in the production, distribution, delivery, packaging, and/or ingestion of marijuana or other illegal drugs
- Records, documents, ledgers, receipts relative to the distribution, sale, and/or delivery of marijuana, any of its derivatives, or other illegal drugs
- Bulk United States Currency found in close proximity to marijuana, other illegal drugs, and/or Records, documents, ledgers, and/or receipts relative to the distribution, sale, and/or delivery of methamphetamine or other illegal drugs
- Firearms stored in close proximity to marijuana and/or other illegal drugs, used in the defense of the residence and its occupants in the protection of marijuana and/or other illegal drugs being stored there
- Surveillance equipment used to thwart the investigative efforts of law enforcement officials, including but not limited to, cameras, camera equipment, computer or television monitors for cameras, cables, wiring, digital storage devices for surveillance systems including computer hard drives and/or other memory storage devices

 10-29-2013
 10-28-2013

Date and Time

2:00 PM

Judge

This warrant is issued by: ☒ hard-copy ☐ facsimile ☐ other electronic means:

Directions to Officer: Make a complete and accurate written inventory of any property seized pursuant to this warrant. Immediately deliver photographs or copies of the seized property, article, materials, substance, or person, the written inventory, and the warrant return to this Court. Due to the nature of the requested search the Court finds that leaving a copy of the warrant and inventory of the search with the owner of the vehicle would compromise the requested search, therefore the Court directs the Officer NOT to leave a copy of the warrant and inventory with the owner of the vehicle at this time

1 of 1

542.271-542.286 RSMo

Officer's Return

I certify that I am a peace officer within the State of Missouri and executed the above search warrant as follows:

Date and manner of execution:	
Name of possessor (and owner if known and if not the same) of property:	
A property receipt and warrant copy were left ☐ with possessor ☐ in the premises.	
The inventory receipt is attached to this return ☐ Yes ☐ No	
Property seized (general description):	
Attached to this return are: ☐ Photograph(s) ☐ Copy/copies of items seized ☐ Inventory.	
Date	Signature of Officer Making Return

#1316-MC14814

Officer's Return

I certify that I am a peace officer within the State of Missouri and executed the above search warrant as follows:

Date and manner of execution:	10-31-2013 10:20 AM
Name of possessor (and owner if known and if not the same) of property:	RONALD WHITE
A property receipt and warrant copy were left ☒ with possessor ☒ in the premises.	
The inventory receipt is attached to this return ☒ Yes ☐ No	
Property seized (general description):	ILLEGAL DRUGS, INDICIA, FIREARMS
Attached to this return are: ☐ Photograph(s) ☒ Copy/copies of items seized ☒ Inventory.	
10-31-2013	 #1134
Date	Signature of Officer Making Return

KANSAS CITY POLICE CRIME LABORATORY REPORT



An ASCLD/LAB Accredited Laboratory
6633 Troost Avenue
Kansas City, MO 64131

Agency: KCPD
Agency Case #: 13-079333
Subject(s):

Lab Record #: 13-079333 #1
Offense: Felon in Possession

Report Type: DNA
Report Date: June 18, 2014
Examiner: Jennifer L Howard

List of Evidence:

Item # 9108-01: S&W .357 revolver model 66 bearing serial #2K83947 (Agency Item 130019108-1)
Item # 9108-01.1: Swab of trigger and trigger guard
Item # 9108-01.2: Swab of grips and frame
Item # 9108-03: Jennings Bryco .380 semiauto pistol bearing serial #212399 (Agency Item 130019108-3)
Item # 9108-03.1: Swab of trigger and trigger guard
Item # 9108-03.2: Swab of grips and frame
Item # 9108-05: Cobray Street Sweeper 12 gauge shotgun bearing serial #12277
(Agency Item 130019108-5)
Item # 9108-05.1: Swab Trigger and trigger guard
Item # 9108-05.2: Swab of stock and frame
Item # 9108-07: Stag Arms 5.56 rifle bearing serial #146252 (Agency Item 130019108-7)
Item # 9108-07.1: Swab of trigger and trigger guard
Item # 9108-07.2: Swab of stock and frame
Item # 9108-08: Bushmaster model XM15E2S, .223 Rifle bearing serial BFI441431 (Agency Item 130019108-8)
Item # 9108-08.1: Swab of trigger and trigger guard
Item # 9108-08.2: Swab of stock and frame
Item # 9108-09: Romarm Draco 7.62/39 bearing serial #1971 DH 0335 (Agency Item 130019108-9)
Item # 9108-09.1: Swab of trigger and trigger guard
Item # 9108-09.2: Swab of stock and frame

Conclusion:

ANDRE SIMMONS is the source of the majority of DNA from the swab of the stock and frame of the Stag Arms 5.56 rifle bearing serial #146252 (Item 9108-07.2).

An unknown male is the source of the majority of DNA from the swab of the trigger and trigger guard of the S&W .357 revolver model 66 bearing serial #2K83947 (Item 9108-01.1).

Results of Analysis:

A mixture of genetic profiles consisting of a major and minimal minor was developed from Item 9108-01.1 Swab of trigger and trigger guard -S&W .357 revolver model 66 bearing serial #2K83947. The major profile is an unknown male. The minimal minor is not suitable for searching in CODIS and was not compared. The major

CONFIDENTIAL REPORT



Page 1

profile was entered into LOCAL CODIS only and will be searched on a continual basis.

A minimal amount of DNA was extracted from Item 9108-01.2 Swab of grips and frame -S&W .357 revolver model 66 bearing serial #2K83947. No further testing was performed.

A minimal amount of DNA was extracted from Item 9108-03.1 Swab of trigger and trigger guard - Jennings Bryco .380 semiauto pistol bearing serial #212399. No further testing was performed.

A minimal amount of DNA was extracted from Item 9108-03.2 Swab of grips and frame - Jennings Bryco .380 semiauto pistol bearing serial #212399. No further testing was performed.

An indiscernible mixture of genetic profiles from at least two contributors was developed from Item 9108-05.1 Swab Trigger and trigger guard - Cobray Street Sweeper 12 gauge shotgun bearing serial #12277. This sample is not suitable for searching in CODIS.

A minimal amount of DNA was extracted from Item 9108-05.2 Swab of stock and frame - Cobray Street Sweeper 12 gauge shotgun bearing serial #12277. No further testing was performed.

An indiscernible mixture of genetic profiles from at least three contributors was developed from Item 9108-07.1 Swab of trigger and trigger guard - Stag Arms 5.56 rifle bearing serial #146252. This sample is not suitable for searching in CODIS.

A mixture of genetic profiles consisting of a major and at least two indiscernible minors was developed from Item 9108-07.2 Swab of stock and frame - Stag Arms 5.56 rifle bearing serial #146252. The major profile matches SIMMONS, ANDRE B/M, 9/2/1985. Due to the potential number of contributors and the amount of genetic information present in the sample, the minor genetic information is not suitable for comparisons or searching in CODIS.

A minimal amount of DNA was extracted from Item 9108-08.1 Swab of trigger and trigger guard - Bushmaster model XM15E2S, .223 Rifle bearing serial BFI441431. No further testing was performed.

An indiscernible mixture of genetic profiles from at least three contributors was developed from Item 9108-08.2 Swab of stock and frame - Bushmaster model XM15E2S, .223 Rifle bearing serial BFI441431. This sample is not suitable for searching in CODIS.

A minimal amount of DNA was extracted from Item 9108-09.1 Swab of trigger and trigger guard - Romarm Draco 7.62/39 bearing serial #1971 DH 0335. No further testing was performed.

An indiscernible mixture of partial genetic profiles from at least three contributors was developed from Item 9108-09.2 Swab of stock and frame - Romarm Draco 7.62/39 bearing serial #1971 DH 0335. This sample is not suitable for searching in CODIS.

SMITH, MARCEL L B/M, 10/30/1993; ROSEBERRY, VICTOR B/M, 3/28/1984; JONES, KEVIN B/M 2/9/1983, DIAMOND, TERRENCE B/M, 8/26/1979; and LONG, RASHAWN B/M, 2/7/1981; are each excluded as possible contributors to all of the comparable genetic information developed in this case.

It is inconclusive, due to the number of contributors to the sample, if ANDRE SIMMONS is included as a possible contributor to Item 9108-07.1 and Item 9108-09.2. ANDRE SIMMONS is excluded as a possible contributor to Item 9108-01.1 major, Item 9108-05.1, and Item 9108-08.2.

The expected frequency of the genetic profile developed from Item 9108-07.2 major is one in 320 quadrillion unrelated individuals.

Disposition:

The sample and DNA extract from Item 9108-01.1 were consumed during testing.

The sample from Item 9108-01.2 was consumed during testing. Remaining DNA extract is archived frozen in the

CONFIDENTIAL REPORT

laboratory.

The sample from Item 9108-03.1 was consumed during testing. Remaining DNA extract is archived frozen in the laboratory.

The sample from Item 9108-03.2 was consumed during testing. Remaining DNA extract is archived frozen in the laboratory.

The sample and DNA extract from Item 9108-05.1 were consumed during testing.

The sample from Item 9108-05.2 was consumed during testing. Remaining DNA extract is archived frozen in the laboratory.

The sample and DNA extract from Item 9108-07.1 were consumed during testing.

The sample and DNA extract from Item 9108-07.2 were consumed during testing.

The sample from Item 9108-08.1 was consumed during testing. Remaining DNA extract is archived frozen in the laboratory.

The sample and DNA extract from Item 9108-08.2 were consumed during testing.

The sample from Item 9108-09.1 was consumed during testing. Remaining DNA extract is archived frozen in the laboratory.

The sample and DNA extract from Item 9108-09.2 were consumed during testing.

Methodology:

DNA (deoxyribonucleic acid) was extracted from biological substances. PCR-STR amplification was carried out utilizing the ABI Identifiler amplification kit.

Additional Comments:

The genetic profile of SMITH, MARCEL L. was developed from case 13-074534, Item 8051-01.

The genetic profile of ROSEBERRY, VICTOR was developed from case 07-049571, Item 005-001.80358.

The genetic profile of JONES, KEVIN was developed from case 13-068125, Item 7975-01.

The genetic profile of DIAMOND, TERRENCE was developed from case 10-066650, Item 6792-01.

The genetic profile of LONG, RASHAWN was developed from case 13-077855, Item 8881-01.

The genetic profile of SIMMONS, ANDRE was developed from case 06-056703, Item 012-001.63360.

Profile Summary:

Item #	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	vWA	TPOX	D18S51	AMEL	D5S818	FGA
9108-01.1: major	12,15	28,32,2	8,9	7,11	15,16	6,9,3	12,12	10,12	16,17	13,15,2	13,15	9,9	13,2,17	X,Y	12,12	21,23
9108-01.1: minimal minor	14															
9108-05.1	11/12/13/16	28/31.2/34.2/36	8/10	10/11	14/15/16/17	7/8/9.3	11/12/13	8/11	19/24	11/13/15	16/17	8/9	15	XY	12/13	23

CONFIDENTIAL REPORT

Item #	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	VWA	TPOX	D18S51	AMEL	D5S818	FGA
9108-07.1	12/13/14/15	28/29/32.2	8/9	7/11/12	15/16/17	6/7/9.3	11/12/13/14	9/10/11/12	16/17/21/24	11/12/12.2/13/14	15/16/18/19	9/11	15/17	XY	10/11/12/13	22/26
9108-07.2: major	13,15	28,29	9,10	7,11	15,16	7,9.3	11,13	9,11	18,18	13,13	16,17	8,11	15,16	X,Y	11,13	20,22
9108-07.2: indiscernible minors	11/12/14	32.2	8/12	10	14/17	6/8/9	12	10/12		12.2/14/15.2	15	9/10	17		8/12	23
9108-08.2	12/13/14/15/16	28/29/31	9/11/12	7/11/12	14/15/16/17/18	6/7/8/9.3	11/12/13	11/13	17/22/23	11/13/14	15/16/17	8/11	12/17	XY	11/12	
9108-09.2	11/12/13/14/15	28/29/30	8/10	7/11	14/15/16/17/18	6/7/9.3	11/12/13	11/13	19/22	13/14/16	16/17/18	8/11	15	XY	11/16	20/22

Recovery Information:

Tag #130019108 was collected by MILLER, MICHAEL on October 31, 2013 at 1417 SW 44 ST, LEES SUMMIT 64082.

This report contains the conclusions, opinions, and/or interpretations of the below analyst.



Jennifer L. Howard
Forensic Specialist V
jennifer.howard@kcpd.org

This report must be disseminated in full.

-----END OF REPORT-----

CONFIDENTIAL REPORT

KANSAS CITY POLICE CRIME LABORATORY REPORT



An ASCLD/LAB Accredited Laboratory
6633 Troost Avenue
Kansas City, MO 64131

Agency: KCPD
Agency Case #: 13-079333
Subject(s):

Suspect: WHITE, RONALD F JR. (B/M
10/03/1981)

Lab Record #: 13-079333 #4
Offense: Felon in Possession

Report Type: DNA (Known DNA Standard)
Report Date: July 9, 2014
Examiner: Jennifer L Howard

List of Evidence:

Item #9108-01: S&W .357 revolver model 66 bearing serial #2K83947 (Agency Item 130019108-1)
Item #9108-01.1: Swab of trigger and trigger guard
Item #9108-05: Cobray Street Sweeper 12 gauge shotgun bearing serial #12277
(Agency Item 130019108-5)
Item #9108-05.1: Swab Trigger and trigger guard
Item #9108-07: Stag Arms 5.56 rifle bearing serial #146252 (Agency Item 130019108-7)
Item #9108-07.1: Swab of trigger and trigger guard
Item #9108-08: Bushmaster model XM15E2S, .223 Rifle bearing serial BFI441431 (Agency Item 130019108-8)
Item #9108-08.2: Swab of stock and frame
Item #9108-09: Romarm Draco 7.62/39 bearing serial #1971 DH 0335 (Agency Item 130019108-9)
Item #9108-09.2: Swab of stock and frame

Item #1046-01: buccal swabs from Ronald White, B/M, 10-03-1981 (Agency Item 140011046-1)

Conclusion:

RONALD WHITE is the source of the majority of DNA from the swab of the trigger and trigger guard of the S&W .357 revolver model 66 bearing serial #2K83947 (Item 9108-01.1).

Results of Analysis:

The genetic profile of WHITE, RONALD F JR. B/M, 10/3/1981 was developed from Item 1046-01.

The genetic profile of WHITE, RONALD F JR. B/M, 10/3/1981 matches the major genetic profile previously developed from Item 9108-01.1 - Swab of trigger and trigger guard - S&W .357 revolver model 66 bearing serial #2K83947. The expected frequency of the major genetic profile previously developed from Item 9108-01.1 is one in 21 sextillion unrelated individuals. Item 9108-01.1 major was removed from CODIS and will no longer be searched.

WHITE, RONALD F JR. B/M, 10/3/1981 is excluded as a possible contributor to the genetic information previously developed from:
Item 9108-05.1 - Swab Trigger and trigger guard - Cobray Street Sweeper 12 gauge shotgun bearing serial #12277

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Item 9108-08.2 - Swab of stock and frame - Bushmaster model XM15E2S, .223 Rifle bearing serial BFI441431
Item 9108-09.2 - Swab of stock and frame - Romarm Draco 7.62/39 bearing serial #1971 DH 0335

It is inconclusive, due to the number of contributors to the sample, if WHITE, RONALD F JR. B/M, 10/3/1981 is included as a possible contributor to the genetic information previously developed from Item 9108-07.1 - Swab of trigger and trigger guard - Stag Arms 5.56 rifle bearing serial #146252.

Disposition:

Remaining standard from Item 1046-01 is archived frozen in the laboratory.

Methodology:

DNA (deoxyribonucleic acid) was extracted from biological substances. PCR-STR amplification was carried out utilizing the ABI Identifier amplification kit.

Profile Summary:

Item #	D8S1179	D21S11	D7S820	CSF1PO	D3S1358	TH01	D13S317	D16S539	D2S1338	D19S433	VWA	TPOX	D18S51	AMEL	D5S818	FGA
1046-01	12,15	28,32.2	8,9	7,11	15,16	6,9.3	12,12	10,12	16,17	13,15.2	13,15	9,9	13,2,17	X,Y	12,12	21,23

Recovery Information:

Tag #140011046 was collected by HORALEK, CRAIG on July 1, 2014 at 400 E 9 ST, KANSAS CITY.

This report contains the conclusions, opinions, and/or interpretations of the below analyst.



Jennifer L. Howard
Forensic Specialist V
jennifer.howard@kcpcd.org

This report must be disseminated in full.

-----END OF REPORT-----

CONFIDENTIAL REPORT