

AFFIDAVIT

I, Loran F. Freeman, Detective for the Independence, Missouri Police Department, the undersigned affiant, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

1. I have been a commissioned law enforcement officer in the State of Missouri since July, 1993, and have been a police officer with the City of Independence, Missouri Police Department since May 10, 2001. I have received basic and advanced training regarding the investigation of narcotics/illegal drug distribution, and investigation of violent crimes, including but not limited to weapons related offenses. I have worked for the Drug Enforcement Unit of the Independence, Missouri Police Department, assigned to the Drug Enforcement Administration Task Force, Kansas City District Office Group 43, from September of 2006, through January 2009, and was subsequently assigned to the Independence, Missouri Police Department Career Criminal Unit, in conjunction with the Kansas City Career Criminal Unit Task Force. While assigned as a detective, I have participated in numerous illegal drug/narcotics, violent crime, and weapons related investigations. I have been the affiant in excess of 100 court orders issued by the Circuit Court of Jackson County, Missouri, and in excess of 40 court orders issued in the Western District of Missouri Federal Court.

2. This affidavit contains information necessary to support probable cause for this application. It is not intended to include every fact or matter observed by me or known by law enforcement. The information provided is based on my personal knowledge and observation during the course of this investigation, information conveyed to me by other law enforcement officials and others as set out herein, and my review of reports prepared by other law

enforcement officials during the course of the investigation. I therefore believe the following facts to be true and accurate.

3. On December 20, 2016, at approximately 8:36 p.m., Uniformed Officers with the Independence, Missouri Police Department Patrol Division were dispatched to the Super 8 Hotel, 4032 S. Lynn Court Drive, Independence, Jackson County, Missouri, regarding a report of suspicious activity. This location is within the Western District of Missouri.

4. Officer R. Osenbaugh was advised that the calling party, an on duty employee of the hotel, had reported observing two “suspicious black males” in the area of the entrance of the hotel, and was fearful a robbery of the business by the two subjects was imminent. Officer Osenbaugh responded to the area but was unable to locate the two male subjects described by the employee.

5. At approximately 9:05 p.m., Officer Orsenbaugh was dispatched in response to a second 911 call for assistance to the above Super 8, regarding the original two black male subjects from the earlier call for service, having returned to the business. The employee there stated one of the black male subjects was standing in the lobby of the hotel, as the other black male subject was standing outside of the entrance to the lobby of the business. The black male subject who was reportedly in the lobby area, was reportedly “beating” or “banging” on the desk clerk counter.

6. Police Dispatchers relayed information that the subjects described above had also been on the property of the neighboring hotel, Best Western, located at 4048 S. Lynn Court Drive, Independence, Jackson County, Missouri. This property is in close proximity to the Super 8 Hotel property, identified above, and is also within the Western District of Missouri.

7. The vehicle being used by the identified subjects was identified as a blue Ford 500 sedan, displaying the Missouri vehicle registration plate of HM1N9Y, as described by the Super 8 employee. As officers were arriving in the area, information was broadcast by police dispatchers that the subjects had returned to their blue passenger car, were then occupying the vehicle, and were driving from the area. Sergeant Joe Christiansen of the Independence, Missouri Police Department, encountered the vehicle, occupied by two black male occupants, as it traveled east across the parking lot on to Lynn Court. Sgt. Christiansen activated the emergency equipment of his clearly marked Police vehicle to initiate a stop of the vehicle. Sgt. Christiansen observed the vehicle accelerate, then enter the parking lot of Quik Trip, 4024 S. Noland Road, Independence, Jackson County, Missouri. The vehicle continued at a high rate of speed in the parking lot of the Quik Trip, which was open for business, with customers present, until turning east bound across the parking lot, traveling toward S. Noland Rd. The vehicle continued east bound toward S. Noland Road, until colliding head on with the marked police patrol vehicle of Sergeant Darryl Schmidli, who was responding to the area to assist in investigating the call for service. The collision with the police vehicle, occupied and operated by Sgt. Schmidli, was severe enough to disable both the police vehicle and the Ford 500 operated by the subjects described above. The driver immediately attempted to exit the vehicle and flee the area, but was unsuccessful in exiting the vehicle as a result of the driver's door being "pinned" closed through the use of a third Police vehicle's bumper.

8. Both subjects were then detained without further incident. The driver was identified as **Curlie Pruitt, III**. The passenger was subsequently identified as **Roy L. House, Jr.**

9. Police database inquiries by officers at the scene resulted in information that the license plates displayed on the Ford 500 passenger car described above, were not registered to that vehicle.

10. On December 12, 2016, an informational bulletin was distributed to all members of the Independence, Missouri Police Department, and ultimately surrounding law enforcement agencies in the Kansas City metropolitan area, detailing an armed robbery incident which had reportedly occurred at the Road Star Gas Station/Mini-mart, 11100 E. US 40 Highway, Independence, Jackson County, Missouri on December 11, 2016. Included in the bulletin were digital color images of two black male suspects who reportedly committed the robbery, through the use of a dark colored, semi-automatic handgun. These images were captured through the use of a video surveillance system installed within the business. Sgt. Christiansen and other assisting officers, having previously viewed the bulletin, believed **Pruitt** and **House** were similar in appearance and clothing as the two suspects featured in the bulletin. Sgt. Christiansen stated that it was his opinion **Pruitt** and **House** were likely the suspects featured in the bulletin.

11. Sgt. Christiansen observed a black, semi-automatic handgun, on the floor board of the front passenger seat area, where House was seated at the time of his arrest. This firearm was later identified as an **American Tactical semi-automatic handgun, .45 caliber, Model M1911GI, Serial Number GI112142, with blue “marbled” grips, loaded with a magazine containing one (1) unfired cartridge of Winchester 45 Auto ammunition, two (2) unfired cartridges of NFCR 45 Auto ammunition, and five (5) unfired cartridges of Winchester 45 Auto ammunition in brass casings.** Sgt. Christiansen, with gloved hands, collected the firearm, rendered it safe, and later processed it as evidence. Also located within the passenger compartment of the vehicle, in plain view, was a hand rolled cigarette, containing marijuana

plant material which was later field tested positive for the presence of marijuana, and an open can of beer, approximately 75% full, which was cold to the touch. Two dark colored stocking caps, one with a hole cut in the top were observed on the floor board of the vehicle. **Pruitt** and **House** were placed under arrest.

12. A law enforcement database inquiry relative to the criminal histories of **Pruitt** and **House** was requested by the investigating officers at the scene. Officers were advised that **Pruitt** and **House** each had at least one felony criminal conviction in each of their pasts. Your Affiant also reviewed the information yielded from the data base inquiries and identified what appeared to be at least three felony convictions in **Pruitt's** past. **Pruitt's** convictions were related to the offenses of **Assault 2nd Degree and Robbery 2nd Degree**, Pemiscot County, Missouri Circuit Court in 1996. **Pruitt** was ordered confined for 7 and 15 years for both offenses, and served the sentences concurrently. A conviction for the offense of **Felon in Possession of a Firearm** was identified from the year 2009, charged by the Federal Court, Jefferson City, Missouri. **Pruitt** was ordered confined for 37 months and 36 months supervised release. **House's** convictions were related to the offenses of **Assault 2nd Degree and Robbery 2nd Degree**, Pemiscot County, Missouri Circuit Court in 1996. **House** was ordered confined for 7 and 10 years for both offenses, and served the sentences concurrently. A conviction for the offense of **Car Jacking** was identified from the year 2007, charged by the Western District of Missouri Federal Court. **House** was ordered confined for 137 months, and 36 months supervised release. **House** was determined to presently be under the supervision of the Western District of Missouri Federal Court for his ordered term of supervised release.

13. Surveillance video, obtained by the surveillance system installed on the property of the above identified Super 8 Hotel, was reviewed by Officer Orsenbaugh. The digital video recording footage corroborates the information provided by Stone to Police dispatchers regarding the behavior of **Pruitt** and **House** at the time of the original call for assistance, and the subsequent calls for assistance in this investigation.

14. On December 21, 2016, Your Affiant contacted Special Agent Matt Wilson of the Bureau of Alcohol, Tobacco, Firearms and Explosives to obtain a verbal Nexis information regarding the origin of the above identified firearm. Special Agent (SA) Wilson advised Det. Freeman that the above identified American Tactical firearm was not manufactured within the State of Missouri and as a result had traveled in and thus affected Interstate Commerce.

15. On December 21, 2016, **Pruitt** participated in a formal interview with Special Agent Jason Ramsey of the Federal Bureau of Investigation, Kansas City Field Office, Career Criminal Unit Task Force, and Detective Matt Onka of the Independence, Missouri Police Department, Career Criminal Unit Task Force. Prior to questioning, **Pruitt** was advised of his *Miranda* warning, both verbally and in writing. **Pruitt** acknowledged that he understood his rights, and then participated in the interview. **Pruitt** acknowledged having multiple felony convictions in his past, and knowing he was prohibited from possessing a firearm. **Pruitt** confessed to committing the armed robbery of the Road Star Gas Station identified above. **Pruitt** identified himself and **House** from digital color images obtained from the surveillance system in use at the property. **Pruitt** confessed to committing the armed robbery of the Beeline Mini-Mart, 1005 Isley Blvd., Excelsior Springs, Missouri on December 15, 2016. **Pruitt** identified himself and **House** from digital color images obtained from the surveillance system in use at the property. **Pruitt** confessed to committing the robbery of the Discount Smoke Shop,

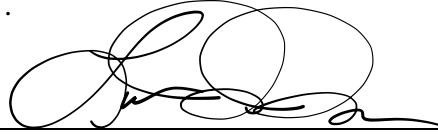
4718 NE Vivion Road, Kansas City, Missouri on or about December 18, 2016. **Pruitt** identified himself and **House** from digital color images obtained from the surveillance system in use at the property.

16. On December 21, 2016, **House** participated in a formal interview with Special Agent Ramsey and Detective Onka. Prior to questioning, **House** was advised of his *Miranda* warning, both verbally and in writing. **House** acknowledged that he understood his rights, and then participated in the interview. **House** acknowledged having multiple felony convictions in his past, and knowing he was prohibited from possessing a firearm. **House** confessed to having possessed, handled, and carried on or about his person the above identified American Tactical firearm. **House** declined to participate in any discussion or answer questions relative to any robbery incidents or other criminal acts.

17. Based upon the foregoing and my training and experience in unlawful possession of firearms investigations, I believe that **Pruitt and House** each have been previously convicted of a crime punishable by a term exceeding one year of imprisonment (a "felony"), each knowingly possessed the above described American Tactical semi-automatic handgun, .45 caliber, Model M1911GI, Serial Number GI112142, with blue "marbled" grips, loaded with one (1) unfired cartridge of Winchester 45 Auto ammunition, two (2) unfired cartridges of NFCR 45 Auto ammunition, and five (5) unfired cartridges of Winchester 45 Auto ammunition in brass casings, each did so knowing that they were each prohibited to possess a firearm, and the said firearm was not manufactured in the State of Missouri and therefore had to have affected interstate commerce when it was located within the State of Missouri and the Western District of Missouri on December 20, 2016.

18. Based upon the above information, your affiant believes there is probable cause to believe that **Curly Pruitt, III, and Roy L. House, Jr.** each violated Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm; § 922(g)(3).

FURTHER AFFIANT SAYETH NAUGHT.



Detective Loran Freeman
Independence, Missouri Police Department
Career Criminal Unit Task Force

Subscribed and sworn to before me this 22nd day of December, 2016.

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HONORABLE SARAH W. HAYS
Chief United States Magistrate Judge