

FILED

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI, **SEP 27 2009**

Associate Division **23**

CIRCUIT CLERK
GREENE COUNTY

STATE OF MISSOURI,)
Plaintiff,)

vs.)

FRANK CARROLL GRANT JR.)

Defendant.)

Case No. **0931-CR06283-WJ**

OCN#

PA File No. 077208963

State of Missouri)
County of Greene) ss.
)

FELONY COMPLAINT

COUNT I

(Missouri Charge Code: 31020002.0)

The Prosecuting Attorney of the County of Greene, State of Missouri, charges that the defendant, in violation of Section 571.030.1(1), RSMo, committed the class D felony of unlawful use of a weapon, punishable upon conviction under Sections 558.011 and 560.011, RSMo, in that on or about September 27, 2009, in the County of Greene, State of Missouri, the defendant knowingly carried concealed upon or about his person a semi-automatic gun, which weapon was readily capable of lethal use.

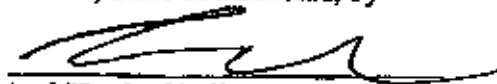
The range punishment for a class D felony is imprisonment in the custody of the Missouri Department of Corrections for a term of years not less than two (2) years and not to exceed four (4) years; or by imprisonment for a special term not to exceed one (1) year in the county jail or other authorized penal institution; or by a fine not to exceed five thousand dollars (\$5,000), or if money or property has been gained through the commission of the crime, a fine of not more than double the amount of the offenders gain from the commission of the crime up to a maximum of twenty thousand dollars (\$20,000); or by both imprisonment and a fine.

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.

DA

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

DARRELL L. MOORE
Prosecuting Attorney of the County of
Greene, State of Missouri, by



Ami Harshad Miller
Assistant Prosecuting Attorney
Missouri Bar No. 57711

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

Ami Harshad Miller, 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 best information, knowledge and belief



Ami Harshad Miller
Assistant Prosecuting Attorney



SPRINGFIELD POLICE DEPARTMENT PROBABLE CAUSE STATEMENT



Date: 09-27-2009 Case #: 09-42316

I, Cpl. Curt Ringgold/955, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that Frank Carroll GRANT Jr., Black / Male, DOB 10-28-1986, SSN [REDACTED], committed one or more criminal offenses.
2. The following crime(s) happened on 09/27/2009, 0049 Hrs at Campbell College in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

I was working an Off Duty assignment in the area of Park Central with Officer Darrel Coney. During my assignment we were dispatched to 201 S. Campbell, Remington's Downtown, in reference to an assault. Other officers were also dispatched and Sgt. Chad Butsler arrived first. Sgt. Butsler advised of a large crowd and that they were actively involved in fights outside the establishment.

We were on foot and responded from Park Central Square. As Officer Coney and I were just east of Campbell on Park Central West in front of Rendezvous Coffee, I saw a white Ford Taurus drive southbound on Campbell and stop just north of College (Park Central West). Campbell is one-way northbound in that area and at first thought that the driver may have been intoxicated and driving in the wrong direction. I then saw the black male driver, who was the only occupant, get out of the vehicle. The male, later identified as Frank C. Grant Jr., was standing outside the driver's side door while the door was still open. He bent over inside the vehicle and it appeared he was reaching into the area of the driver's side floorboard. After a few seconds, he stood up and moved both of his hands behind his body toward the center of his back near his waist. It appeared that he was moving his arms around while they were behind his back to manipulate something. As he was doing this, he began walking north toward the large crowd of people who had gathered in the street in front of Remington's Downtown.

Officer Coney and I both saw the Grant's actions and we both feared that he had obtained a weapon of some type from his vehicle and that was what he had placed behind his back inside his waistband. As we both ran toward Grant, I drew my handgun and pointed at the suspect. I ordered the male to get onto the ground and to lie on his stomach. He did as I instructed and he got onto the ground without incident. I put the Grant in handcuffs and conducted a Terry search of him based on his actions. I then felt a hard item that I believed to be a gun. I raised the Grant's shirt and observed a semi-automatic handgun in his waistband. The handgun had a black handle with a silver colored slide. I then placed the male under arrest for Unlawful Use of a Weapon and identified him as Frank Grant.

During a recorded post-Miranda interview at the Greene County jail, Grant told me a fight had broke out inside the bar and he was struck by an elbow by an unknown person. He also told me that several of his friends were also involved in the fight. Grant left the establishment and retrieved his vehicle, which was parked in the parking garage at Campbell/Olive. He advised that he drove south on Campbell from the parking garage and he stopped the car in the street. He got out of his car, reached back onto the driver's floor board and picked up the gun. He then stated that he put it in the small of his back and started walking south towards the crowd and his friends. When questioned about the location of the gun in the car, Grant said that he leaves it in plain site on the driver's floor board.

He then told me that he had no intentions of using the gun only wanted to get his friends away from the situation. He stated the reason for having the gun was he was unsure what the other parties involved had as far as weapons. When questioned

about whether the gun was loaded, Grant said the magazine clip in the gun was loaded, but there was not a round in the chamber. This was a true statement as Officer Kenyon secured and cleared the weapon while on scene and advised me of this. He also advised the gun's safety was properly working and on when he retrieved it. He told me that he had purchased the weapon from Bolivar Pawn and had a receipt indicating such. A receipt was located along with the plastic gun box, which contained another loading magazine clip.

The facts contained above are true.

M. C. [Signature]
Signature

935
DSN

CORPORAL
Title

0931CR06283-23

State of Missouri vs. Frank Carroll Grant Jr.

COURT INFORMATION FOR WARRANT OR SUMMONS

From Prosecuting Attorney

DEFENDANT'S ADDRESS:

1715 University Ave
Bolivar, MO 65613

CHARGE(S):

Count I: Unlawful Use Of Weapon, Class D Felony

BOND RECOMMENDED: \$25,000.00

REASONS: Defendant was involved in a large fight in downtown Springfield consisting of hundreds of persons in which approximately 50 officers responded to. Defendant left the fight went to his car and drove it closer to the fight and then retrieved a handgun to take in to the fight.

SPECIAL CONDITIONS: OBEY ALL LAWS, NOT TO POSSESS WEAPONS, NOT TO BE IN THE DOWNTOWN SPRINGFIELD AREA

OFFICER & AGENCY: Springfield Police Dept. Ringgold DSN 955

DEFENDANT DESCRIPTION:

DOB: 10/28/1986

SEX: Male

RACE: Black

SSN: [REDACTED]

DLN:

DLN STATE:

HEIGHT: 600

WEIGHT: 160

HAIR: BK

EYES: BR

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

Any pending cases? ___Yes___x___No
Case number of pending case in Division of Assignment per Administrative Order of 2/26/07:
APA Name/Bar No. assigned: Miller 57711