



NEWS RELEASE

GREENE COUNTY PROSECUTING ATTORNEY DAN PATTERSON

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

07/30/2014

FOR IMMEDIATE RELEASE

Curtis Payne's Killers Apprehended and Charged

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Tyler Allen Keithley, 19; Jeremiah Devaliti, 18; and Kearstain Sleeth, 23; have been charged today with murder in the second degree, armed criminal action, and burglary in the first degree. These charges arise from events occurring on February 11, 2014. On that day, Curtis Payne was shot dead in his home at 2357 S. Dollison Avenue in Springfield after Keithley, Devaliti and a juvenile forced entry into the home. Springfield Police Department detectives have been working since that day to solve this homicide. Yesterday, Keithley, Devaliti, Sleeth, and a juvenile were all arrested. Today, formal charges were filed against Keithley, Devaliti, and Sleeth. The juvenile is currently in the custody of the Greene County Juvenile Court.

Mr. Patterson cautions that the charges contained in the felony complaints are merely allegations and that the defendants are 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 investigated by the Springfield Police Dept. and Detective Christopher Barb is the lead investigator assigned to the case.

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SPRINGFIELD POLICE DEPARTMENT



FELONY PROBABLE CAUSE STATEMENT

Date: 07/30/2014 Case #: 14-5505

I, Chris Barb, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that Tyler A. Keithley, W/M, DOB 04/07/1995, committed one or more criminal offenses.
2. The following crime(s) happened on 02/11/ 2014 – 2128 hours at 2357 S. Dollison Av. in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

On 02/11/2014 at 2129 hours, officers were sent to 2357 S. Dollison Ave. for a report of an in-progress burglary. The caller reported someone had broken into his home and gunshots were fired. The caller reported someone had run from his home with a gun. The caller also reported his nephew, Curtis Payne, was dead.

Officers arrived at the residence and contacted the caller and his children who were in the home. Officers discovered the front door of the residence appeared to have been forced open. Officers observed a male subject, later identified as Payne, lying on the floor inside the residence. Officers entered the residence and discovered Payne was deceased and appeared to have a possible gunshot wound on his chest. Payne was located lying partially in the doorway of a bedroom just inside the front door to the right.

On 02/11/14, detectives conducted a search of the residence at 2357 S. Dollison for evidence. Detectives located a spent shotgun shell in a hallway near Payne. Detectives also located four spent shell casings from a .380 handgun inside the residence, three in the bedroom where Payne was located and one in the hallway near his body. Detectives also located a loaded .22 caliber gun magazine inside the bedroom where Payne was located.

On 02/13/14, Dr. Edward Adelstein conducted an autopsy on Curtis Payne. Dr. Adelstein identified one shotgun wound to Payne's right chest, two gunshot wounds to the left side of his body, one gunshot wound to the upper left leg and a graze wound to his left elbow. Dr. Adelstein authored the opinion that the cause of death of Curtis Payne was a shotgun wound to the right chest. Dr. Adelstein also ruled the manner of death as a Homicide.

During the follow-up investigation, I received information from two people who wished to provide information concerning Payne's death and the possible suspects. I was given information that three male subjects identified as Jeremiah Devaliti, Tyler Keithley, and juvenile K.M. (01/08/1998) were responsible for the forced entry into Payne's residence and his death. One of the sources stated he/she was present during a conversation in which these subjects were talking about Payne's death.

The source reported a female associate of these subjects, Kearstain Sleeth, had possibly told them she had been assaulted by Payne. The source reported the subjects went to Payne's residence and forced entry into the home. The source stated that Keithley reportedly struck Payne with a long gun that was described as a .22 caliber that resembled an assault rifle after they entered the residence. The source said K.M. reportedly shot Payne multiple times with a .380 handgun while inside the residence. The source also reported that Devaliti reportedly shot Payne one time with a shotgun while inside the residence. The source stated Devaliti, Keithley, and K.M. disposed of, or hid the guns near Fellows Lake after Payne was killed.

On 07/29/14, detectives conducted surveillance on Tyler Keithley and were able to contact him at his residence, 5722 N. Farm Rd 177 in Springfield. I contacted Keithley at that location and asked him to come to Police Headquarters for an interview. Keithley agreed to respond to headquarters to speak with me. I provided him a ride to Police Headquarters in my assigned car.

During a post-Miranda interview, Tyler Keithley provided information to detectives about Payne's homicide. Keithley confessed to being involved in the incident and provided information on his actions and those of Devaliti, Sleeth, and K.M. According to Keithley, on 02/11/14 Sleeth informed the group she had been assaulted by a male the previous day. He indicated he did not know the male subject who allegedly assaulted Sleeth. He stated they devised a plan to go to the male subject's residence to beat him up in retaliation for the alleged assault of Sleeth. Keithley said Sleeth drove him, Devaliti, and K.M. to the male subject's house. During the interview, Keithley admitted he was armed with a .22 caliber rifle and Devaliti and K.M. were each armed with guns as they traveled to the house. He said Devaliti had a shotgun and K.M. had a handgun. He stated they took guns because Sleeth told them the male had a pistol. He reported Sleeth parked on the street away from the residence, pointed out the male's house, and described where his bedroom was located inside the home.

Keithley reported he walked to the house with Devaliti and K.M. He stated they forced open the locked front door by kicking it inward. He said they immediately entered the house and confronted the male inside his bedroom which he stated was to the right of the front door. Keithley described a brief physical confrontation occurred and then K.M. fired several shots with the handgun at the victim. He reported the male victim fell to the floor and he (Keithley) then struck the male in the head with his rifle. Keithley said Devaliti then shot the male with the shotgun from close range as the male was on the floor. He reported they then ran from the residence and left in the vehicle driven by Sleeth. Keithley said after returning to the car he discovered that he had dropped an extended ammunition magazine from his rifle during the physical confrontation. Keithley reported he was surprised when K.M. shot the male.

Keithley reported he went to the area of Fellows Lake with Sleeth, Devaliti, and K.M. shortly after leaving the male's residence to dispose of the guns. He said the group later returned to Fellows Lake and collected the guns so they could move them or dispose of them in a different location. According to Keithley, they dismantled and buried the firearms used to shoot the male in a wooded area in Greene County.

On 07/29/14, detectives also located and contacted Devaliti and K.M. Devaliti and K.M. each agreed to respond to Police Headquarters to be interviewed. During a post-Miranda interview with Devaliti, he confessed to being involved in Payne's death. Devaliti provided a statement that was consistent with the information given by Keithley. Devaliti reported Sleeth drove him, Keithley, and K.M. to Payne's residence. Devaliti said he, Keithley, and K.M. went to the front door of the

residence. He stated he kicked in the front door and they entered the home. He reported he then tried kick in the bedroom door but was not successful. He stated either Keithley or K.M. forced the bedroom door open. Devaliti said he heard a brief scuffle and then K.M. fired several shots at Payne. He reported Payne fell to the floor after K.M. fired the shots. Devaliti said he then shot Payne as Payne was lying on the floor. Devaliti stated they then ran from the residence and left in a car driven by Sleeth.

Devaliti reported he went to an area around Fellows Lake with Sleeth, Keithley, and K.M. after they left the residence to dispose of the guns. According to Devaliti, they returned to the area around Fellows Lake the next day and collected the guns to dispose of them by burying them in a different location in Greene County. Devaliti also provided information that Keithley had brought the .22 caliber rifle Keithley had been armed with to his residence on 07/28/14.

On 07/29/14, Kearstain Sleeth provided a statement during a post-Miranda interview. Sleeth reported prior to this incident she told Devaliti, Keithley, and K.M. that she had been assaulted by a male subject. Sleeth stated they planned to go to the male subject's house to retaliate against him by assaulting him. She reported she drove Keithley, Devaliti, and K.M. to the subject's house. She said she parked near the residence and the three males approached the house. She stated they were gone for a very short period of time before they returned to the car. Sleeth denied that she saw Devaliti, Keithley, and K.M. armed with any firearms as they traveled to the male's house or after they arrived. Sleeth provided information that was inconsistent with statements provided by Keithley and Devaliti concerning her knowledge and involvement in this incident.

Based on information provided by Devaliti, a .22 caliber rifle was seized as evidence at a residence belonging to one of his relatives on 07/30/14. Also based on information provided by Devaliti and Keithley, detectives located pieces of dismantled guns buried in a wooded area in Greene County on 07/30/14.

The facts contained above are true.

Chris Bark

Signature

1016

DSN

Corporal

Title

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

STATE OF MISSOURI,)
vs. Plaintiff,)
TYLER ALLEN KEITHLEY ,) Case No.
Defendant.) OCN# 07047985
State of Missouri)
County of Greene) ss.

FELONY COMPLAINT

COUNT I
(Missouri Charge Code: 1003199.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant, acting in concert, with others knowingly caused the death of Curtis Payne by shooting him, and defendant is further given notice that should the State submit murder in the second degree--felony under Section 565.021.1(2), RSMo, it will be based on the death of Curtis Payne as a result of the perpetration of the class B felony of burglary in the first degree under Section 569.160, RSMo, committed by defendant.

COUNT II
(Missouri Charge Code: 3101099.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant acting in concert with others committed the felony of murder in the second degree 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.

COUNT III
(Missouri Charge Code: 1401099.)

The Prosecuting Attorney of the County of Greene, State of Missouri, charges that the defendant, in violation of Section 569.160, RSMo, committed the class B felony of burglary in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about February 11, 2014, in the County of Greene, State of Missouri, the defendant knowingly entered unlawfully in an inhabitable structure, located at 2357 S

State v. TYLER ALLEN KEITHLEY

Dollison Ave, Springfield, Missouri and possessed by Curtis Payne, for the purpose of committing assault therein, and while in such inhabitable structure the defendant was armed with a deadly weapon and another participant in the crime caused immediate physical injury to Curtis Payne, and Curtis Payne was not a participant in the crime, and there was present in such inhabitable structure, Victor Lowery, a person who was not a participant in the crime.

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



Dan Patterson
Prosecuting Attorney
Missouri Bar No. 41848
1010 Boonville Ave.
Springfield, MO 65802
(417) 868-4061
FAX (417) 868-4160

Dan Patterson, Prosecuting Attorney of the County of Greene, State of Missouri, says that the facts stated in the above information are true, according to his or her best information, knowledge and belief.



Dan Patterson
Prosecuting Attorney

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

STATE OF MISSOURI,)
vs. Plaintiff,)
TYLER ALLEN KEITHLEY) Case No.
Defendant.)
PA File No. 077329908

PROSECUTING ATTORNEY'S BAIL/BOND RECOMMENDATION

The bail/bond recommendation of the Greene County Prosecutor, in this case, is as follows:

1. AMOUNT: \$500,000.00

OPEN COURT ONLY BOND (by administrative order applies automatically to bonds \$25,000 and higher)

2. The State requests that the Court also impose the conditions of bond set out on the proposed Exhibit A to Arrest Warrant attached hereto and that such conditions be incorporated by reference upon the Warrant.
3. The State requests the Court set bond in the above amount and upon the conditions set out in Exhibit A to Arrest Warrant hereto for the following reasons: nature of offense, see PC statement.

Respectfully submitted,



Dan Patterson
Prosecuting Attorney
Mo. Bar No. 41848
1010 Boonville
Springfield, MO 65804
(417) 868-4061
FAX (417) 868-4160

EXHIBIT A
TO ARREST WARRANT

State of Missouri v. Tyler Allen Keithley
Case No:

SPECIAL CONDITIONS OF RELEASE ON BOND SET BY THE COURT:

- OPEN COURT ONLY BOND
 - State agrees to recognizance release by Court Order after the first court appearance with the below conditions of release
 - Obey all laws
 - No contact or communication with victim(s) or the victim's family in any manner or through any medium
 - Not to possess any weapon, firearm or ammunition
 - No contact or communication with Jeremiah Devaliti and Kearstain Sleeth in any manner or through any medium
 - Not knowingly be on the premises of or within 1,000 feet of the victim(s) residence, or place of employment/education.
 - Not to possess or consume alcohol or be on premises of establishment where the primary item for sale is alcoholic beverages
 - Not to possess any drug/controlled substance unless prescribed for defendant by a physician
 - No contact with children under seventeen (17) years of age
 - Not to be on premises of any park, school, daycare, playground, recreational facility, or other place where children congregate
 - Curfew from 8:00 p.m. to 5:00 a.m.
 - Electronic monitoring/house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)
 - GPS monitoring with house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)
- Travel exceptions for house arrest which must be prescheduled with Electronic Monitor/GPS provider:
- Defendant may travel directly to and from appointments with defense attorney
 - Defendant may travel directly to and from medical appointments
 - Defendant may travel directly to and from grocery store closest to residence
 - Defendant may travel directly to and from place of employment
- The following locations where the victim may be found are already known to defendant and, pursuant to Section 566.226.2, RSMo., the Court FINDS that disclosure of such locations as ordered herein will not compromise but will instead facilitate the safety of the victim and, therefore, the Court ORDERS that prior to any release, the defendant shall be notified that he/she may not travel in or be in these exclusion zones and that said exclusion zones shall be made known to the Prosecutor's Office, Defendant's Attorney, Defendant's Pretrial Service Officer and/or Bondsman and the GPS provider:
- Other:



SPRINGFIELD POLICE DEPARTMENT



FELONY PROBABLE CAUSE STATEMENT

Date: 07/30/2014 Case #: 14-5505

I, Chris Barb, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that Jeremiah Devaliti, W/M, DOB 01/31/1996, committed one or more criminal offenses.
2. The following crime(s) happened on 02/11/ 2014 - 2128 hours at 2357 S. Dollison Ave. in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

On 02/11/2014 at 2129 hours, officers were sent to 2357 S. Dollison Ave. for a report of an in-progress burglary. The caller reported someone had broken into his home and gunshots were fired. The caller reported someone had run from his home with a gun. The caller also reported his nephew, Curtis Payne, was dead.

Officers arrived at the residence and contacted the caller and his children who were in the home. Officers discovered the front door of the residence appeared to have been forced open. Officers observed a male subject, later identified as Payne, lying on the floor inside the residence. Officers entered the residence and discovered Payne was deceased and appeared to have a possible gunshot wound on his chest. Payne was located lying partially in the doorway of a bedroom just inside the front door to the right.

On 02/11/14, detectives conducted a search of the residence at 2357 S. Dollison for evidence. Detectives located a spent shotgun shell in a hallway near Payne. Detectives also located four spent shell casings from a .380 handgun inside the residence, three in the bedroom where Payne was located and one in the hallway near his body. Detectives also located a loaded .22 caliber gun magazine inside the bedroom where Payne was located.

On 02/13/14, Dr. Edward Adelstein conducted an autopsy on Curtis Payne. Dr. Adelstein identified one shotgun wound to Payne's right chest, two gunshot wounds to the left side of his body, one gunshot wound to the upper left leg and a graze wound to his left elbow. Dr. Adelstein authored the opinion that the cause of death of Curtis Payne was a shotgun wound to the right chest. Dr. Adelstein also ruled the manner of death as a Homicide.

During the follow-up investigation, I received information from two people who wished to provide information concerning Payne's death and the possible suspects. I was given information that three male subjects identified as Jeremiah Devaliti, Tyler Keithley, and juvenile K.M. (01/08/1998) were responsible for the forced entry into Payne's residence and his death. One of the sources stated he/she was present during a conversation in which these subjects were talking about Payne's death. The source reported a female associate of these subjects, Kearstain Sleeth, had possibly told them

she had been assaulted by Payne. The source reported the subjects went to Payne's residence and forced entry into the home. The source stated that Keithley reportedly struck Payne with a long gun that was described as a .22 caliber that resembled an assault rifle after they entered the residence. The source said K.M. reportedly shot Payne multiple times with a .380 handgun while inside the residence. The source also reported that Devaliti reportedly shot Payne one time with a shotgun while inside the residence. The source stated Devaliti, Keithley, and K.M. disposed of, or hid the guns near Fellows Lake after Payne was killed.

On 07/29/14, detectives conducted surveillance on Tyler Keithley and were able to contact him at his residence, 5722 N. Farm Rd 177 in Springfield. I contacted Keithley at that location and asked him to come to Police Headquarters for an interview. Keithley agreed to respond to headquarters to speak with me. I provided him a ride to Police Headquarters in my assigned car.

During a post-Miranda interview, Tyler Keithley provided information to detectives about Payne's homicide. Keithley confessed to being involved in the incident and provided information on his actions and those of Devaliti, Sleeth, and K.M. According to Keithley, on 02/11/14 Sleeth informed the group she had been assaulted by a male the previous day. He indicated he did not know the male subject who allegedly assaulted Sleeth. He stated they devised a plan to go to the male subject's residence to beat him up in retaliation for the alleged assault of Sleeth. Keithley said Sleeth drove him, Devaliti, and K.M. to the male subject's house. During the interview, Keithley admitted he was armed with a .22 caliber rifle and Devaliti and K.M. were each armed with guns as they traveled to the house. He said Devaliti had a shotgun and K.M. had a handgun. He stated they took guns because Sleeth told them the male had a pistol. He reported Sleeth parked on the street away from the residence, pointed out the male's house, and described where his bedroom was located inside the home.

Keithley reported he walked to the house with Devaliti and K.M. He stated they forced open the locked front door by kicking it inward. He said they immediately entered the house and confronted the male inside his bedroom which he stated was to the right of the front door. Keithley described a brief physical confrontation occurred and then K.M. fired several shots with the handgun at the victim. He reported the male victim fell to the floor and he (Keithley) then struck the male in the head with his rifle. Keithley said Devaliti then shot the male with the shotgun from close range as the male was on the floor. He reported they then ran from the residence and left in the vehicle driven by Sleeth. Keithley said after returning to the car he discovered that he had dropped an extended ammunition magazine from his rifle during the physical confrontation. Keithley reported he was surprised when K.M. shot the male.

Keithley reported he went to the area of Fellows Lake with Sleeth, Devaliti, and K.M. shortly after leaving the male's residence to dispose of the guns. He said the group later returned to Fellows Lake and collected the guns so they could move them or dispose of them in a different location.

According to Keithley, they dismantled and buried the firearms used to shoot the male in a wooded area in Greene County.

On 07/29/14, detectives also located and contacted Devaliti and K.M. Devaliti and K.M. each agreed to respond to Police Headquarters to be interviewed. During a post-Miranda interview with Devaliti, he confessed to being involved in Payne's death. Devaliti provided a statement that was consistent with the information given by Keithley. Devaliti reported Sleeth drove him, Keithley, and K.M. to Payne's residence. Devaliti said he, Keithley, and K.M. went to the front door of the residence. He stated he kicked in the front door and they entered the home. He reported he then

tried kick in the bedroom door but was not successful. He stated either Keithley or K.M. forced the bedroom door open. Devaliti said he heard a brief scuffle and then K.M. fired several shots at Payne. He reported Payne fell to the floor after K.M. fired the shots. Devaliti said he then shot Payne as Payne was lying on the floor. Devaliti stated they then ran from the residence and left in a car driven by Sleeth.

Devaliti reported he went to an area around Fellows Lake with Sleeth, Keithley, and K.M. after they left the residence to dispose of the guns. According to Devaliti, they returned to the area around Fellows Lake the next day and collected the guns to dispose of them by burying them in a different location in Greene County. Devaliti also provided information that Keithley had brought the .22 caliber rifle Keithley had been armed with to his residence on 07/28/14.

On 07/29/14, Kearstain Sleeth provided a statement during a post-Miranda interview. Sleeth reported prior to this incident she told Devaliti, Keithley, and K.M. that she had been assaulted by a male subject. Sleeth stated they planned to go to the male subject's house to retaliate against him by assaulting him. She reported she drove Keithley, Devaliti, and K.M. to the subject's house. She said she parked near the residence and the three males approached the house. She stated they were gone for a very short period of time before they returned to the car. Sleeth denied that she saw Devaliti, Keithley, and K.M. armed with any firearms as they traveled to the male's house or after they arrived. Sleeth provided information that was inconsistent with statements provided by Keithley and Devaliti concerning her knowledge and involvement in this incident.

Based on information provided by Devaliti, a .22 caliber rifle was seized as evidence at a residence belonging to one of his relatives on 07/30/14. Also based on information provided by Devaliti and Keithley, detectives located pieces of dismantled guns buried in a wooded area in Greene County on 07/30/14.

The facts contained above are true.

Chris Bark 1016 Corporal
Signature DSN Title

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

Associate Division _____

STATE OF MISSOURI,)
 Plaintiff,)
)
)
)
vs.) Case No. 1431-CR04027
)
JEREMIAH MOUNTAIN SKY DEVALITI ,) OCN# O7047991
)
)
 Defendant.) PA File No. 077329909
State of Missouri)
) ss.
County of Greene)

FELONY COMPLAINT

COUNT I

(Missouri Charge Code: 1003199.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant knowingly caused the death of Curtis Payne by shooting him, and defendant is further given notice that should the State submit murder in the second degree--felony under Section 565.021.1(2), RSMo, it will be based on the death of Curtis Payne as a result of the perpetration of the class B felony of burglary in the first degree under Section 569.160, RSMo, committed by defendant.

COUNT II

(Missouri Charge Code: 3101099.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant committed the felony of murder in the second degree 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.

COUNT III

(Missouri Charge Code: 1401099.)

The Prosecuting Attorney of the County of Greene, State of Missouri, charges that the defendant, in violation of Section 569.160, RSMo, committed the class B felony of burglary in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about February 11, 2014, in the County of Greene, State of Missouri, the defendant knowingly entered unlawfully in an inhabitable structure, located at 2357 S Dollison Ave, Springfield, Missouri and possessed by Curtis Payne, for the purpose of committing assault

State v. JEREMIAH MOUNTAIN SKY DEVALITI

therein, and while in such inhabitable structure the defendant was armed with a deadly weapon; and defendant caused immediate physical injury to Curtis Payne, and Curtis Payne was not a participant in the crime; and there was present in such inhabitable structure, Victor Lowery, a person who was not a participant in the crime.

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



Dan Patterson
Prosecuting Attorney
Missouri Bar No. 41848
1010 Boonville Ave.
Springfield, MO 65802
(417) 868-4061
FAX (417) 868-4160

Dan Patterson, Prosecuting Attorney of the County of Greene, State of Missouri, b says that the facts stated in the above information are true, according to his or her best information, knowledge and belief.



Dan Patterson
Prosecuting Attorney

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

STATE OF MISSOURI,)
 Plaintiff,)
vs.) Case No. 1431-CR04027
))
JEREMIAH MOUNTAIN SKY DEVALITI,) PA File No. 077329909
 Defendant.))

PROSECUTING ATTORNEY'S BAIL/BOND RECOMMENDATION

The bail/bond recommendation of the Greene County Prosecutor, in this case, is as follows:

1. AMOUNT: \$500,000.00

OPEN COURT ONLY BOND (by administrative order applies automatically to bonds \$25,000 and higher)

2. The State requests that the Court also impose the conditions of bond set out on the proposed Exhibit A to Arrest Warrant attached hereto and that such conditions be incorporated by reference upon the Warrant.
3. The State requests the Court set bond in the above amount and upon the conditions set out in Exhibit A to Arrest Warrant hereto for the following reasons: nature of offense, see pc statement.

Respectfully submitted,



Dan Patterson
Prosecuting Attorney
Mo. Bar No. 41848
1010 Boonville
Springfield, MO 65804
(417) 868-4061
FAX (417) 868-4160

EXHIBIT A
TO ARREST WARRANT

State of Missouri v. Jeremiah Mountain Sky Devaliti
Case No: 1431-CR04027

SPECIAL CONDITIONS OF RELEASE ON BOND SET BY THE COURT:

- OPEN COURT ONLY BOND
- State agrees to recognizance release by Court Order after the first court appearance with the below conditions of release
- Obey all laws
- No contact or communication with victim(s) or the victim's family in any manner or through any medium
- Not to possess any weapon, firearm or ammunition
- No contact or communication with Tyler Keithley and Kearstain Sleeth in any manner or through any medium
- Not knowingly be on the premises of or within 1,000 feet of the victim(s) residence, or place of employment/education.
- Not to possess or consume alcohol or be on premises of establishment where the primary item for sale is alcoholic beverages
- Not to possess any drug/controlled substance unless prescribed for defendant by a physician
- No contact with children under seventeen (17) years of age
- Not to be on premises of any park, school, daycare, playground, recreational facility, or other place where children congregate
- Curfew from 8:00 p.m. to 5:00 a.m.
- Electronic monitoring/house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)
- GPS monitoring with house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)

-Travel exceptions for house arrest which must be prescheduled with Electronic Monitor/GPS provider:

- Defendant may travel directly to and from appointments with defense attorney
- Defendant may travel directly to and from medical appointments
- Defendant may travel directly to and from grocery store closest to residence
- Defendant may travel directly to and from place of employment

The following locations where the victim may be found are already known to defendant and, pursuant to Section 566.226.2, RSMo., the Court FINDS that disclosure of such locations as ordered herein will not compromise but will instead facilitate the safety of the victim and, therefore, the Court ORDERS that prior to any release, the defendant shall be notified that he/she may not travel in or be in these exclusion zones and that said exclusion zones shall be made known to the Prosecutor's Office, Defendant's Attorney, Defendant's Pretrial Service Officer and/or Bondsman and the GPS provider:

Other:



SPRINGFIELD POLICE DEPARTMENT



FELONY PROBABLE CAUSE STATEMENT

Date: 07/30/2014 Case #: 14-5505

I, Chris Barb, knowing that false statements on this form are punishable by law state as follows:

1. I have probable cause to believe that Kearstain N. Sleeth, W/F, DOB 12/05/1990, committed one or more criminal offenses.
2. The following crime(s) happened on 02/11/ 2014 - 2128 hours at 2357 S. Dollison Av. in Springfield, Greene County, Missouri.
3. The facts supporting this belief are as follows:

On 02/11/2014 at 2129 hours, officers were sent to 2357 S. Dollison Ave. for a report of an in-progress burglary. The caller reported someone had broken into his home and gunshots were fired. The caller reported someone had run from his home with a gun. The caller also reported his nephew, Curtis Payne, was dead.

Officers arrived at the residence and contacted the caller and his children who were in the home. Officers discovered the front door of the residence appeared to have been forced open. Officers observed a male subject, later identified as Payne, lying on the floor inside the residence. Officers entered the residence and discovered Payne was deceased and appeared to have a possible gunshot wound on his chest. Payne was located lying partially in the doorway of a bedroom just inside the front door to the right.

On 02/11/14, detectives conducted a search of the residence at 2357 S. Dollison for evidence. Detectives located a spent shotgun shell in a hallway near Payne. Detectives also located four spent shell casings from a .380 handgun inside the residence, three in the bedroom where Payne was located and one in the hallway near his body. Detectives also located a loaded .22 caliber gun magazine inside the bedroom where Payne was located.

On 02/13/14, Dr. Edward Adelstein conducted an autopsy on Curtis Payne. Dr. Adelstein identified one shotgun wound to Payne's right chest, two gunshot wounds to the left side of his body, one gunshot wound to the upper left leg and a graze wound to his left elbow. Dr. Adelstein authored the opinion that the cause of death of Curtis Payne was a shotgun wound to the right chest. Dr. Adelstein also ruled the manner of death as a Homicide.

During the follow-up investigation, I received information from two people who wished to provide information concerning Payne's death and the possible suspects. I was given information that three male subjects identified as Jeremiah Devaliti, Tyler Keithley, and juvenile K.M. (01/08/1998) were responsible for the forced entry into Payne's residence and his death. One of the sources stated

he/she was present during a conversation in which these subjects were talking about Payne's death. The source reported a female associate of these subjects, Kearstain Sleeth, had possibly told them she had been assaulted by Payne. The source reported the subjects went to Payne's residence and forced entry into the home. The source stated that Keithley reportedly struck Payne with a long gun that was described as a .22 caliber that resembled an assault rifle after they entered the residence. The source said K.M. reportedly shot Payne multiple times with a .380 handgun while inside the residence. The source also reported that Devaliti reportedly shot Payne one time with a shotgun while inside the residence. The source stated Devaliti, Keithley, and K.M. disposed of, or hid the guns near Fellows Lake after Payne was killed.

On 07/29/14, detectives conducted surveillance on Tyler Keithley and were able to contact him at his residence, 5722 N. Farm Rd 177 in Springfield. I contacted Keithley at that location and asked him to come to Police Headquarters for an interview. Keithley agreed to respond to headquarters to speak with me. I provided him a ride to Police Headquarters in my assigned car.

During a post-Miranda interview, Tyler Keithley provided information to detectives about Payne's homicide. Keithley confessed to being involved in the incident and provided information on his actions and those of Devaliti, Sleeth, and K.M. According to Keithley, on 02/11/14 Sleeth informed the group she had been assaulted by a male the previous day. He indicated he did not know the male subject who allegedly assaulted Sleeth. He stated they devised a plan to go to the male subject's residence to beat him up in retaliation for the alleged assault of Sleeth. Keithley said Sleeth drove him, Devaliti, and K.M. to the male subject's house. During the interview, Keithley admitted he was armed with a .22 caliber rifle and Devaliti and K.M. were each armed with guns as they traveled to the house. He said Devaliti had a shotgun and K.M. had a handgun. He stated they took guns because Sleeth told them the male had a pistol. He reported Sleeth parked on the street away from the residence, pointed out the male's house, and described where his bedroom was located inside the home.

Keithley reported he walked to the house with Devaliti and K.M. He stated they forced open the locked front door by kicking it inward. He said they immediately entered the house and confronted the male inside his bedroom which he stated was to the right of the front door. Keithley described a brief physical confrontation occurred and then K.M. fired several shots with the handgun at the victim. He reported the male victim fell to the floor and he (Keithley) then struck the male in the head with his rifle. Keithley said Devaliti then shot the male with the shotgun from close range as the male was on the floor. He reported they then ran from the residence and left in the vehicle driven by Sleeth. Keithley said after returning to the car he discovered that he had dropped an extended ammunition magazine from his rifle during the physical confrontation. Keithley reported he was surprised when K.M. shot the male.

Keithley reported he went to the area of Fellows Lake with Sleeth, Devaliti, and K.M. shortly after leaving the male's residence to dispose of the guns. He said the group later returned to Fellows Lake and collected the guns so they could move them or dispose of them in a different location. According to Keithley, they dismantled and buried the firearms used to shoot the male in a wooded area in Greene County.

On 07/29/14, detectives also located and contacted Devaliti and K.M. Devaliti and K.M. each agreed to respond to Police Headquarters to be interviewed. During a post-Miranda interview with Devaliti, he confessed to being involved in Payne's death. Devaliti provided a statement that was consistent with the information given by Keithley. Devaliti reported Sleeth drove him, Keithley, and

K.M. to Payne's residence. Devaliti said he, Keithley, and K.M. went to the front door of the residence. He stated he kicked in the front door and they entered the home. He reported he then tried kick in the bedroom door but was not successful. He stated either Keithley or K.M. forced the bedroom door open. Devaliti said he heard a brief scuffle and then K.M. fired several shots at Payne. He reported Payne fell to the floor after K.M. fired the shots. Devaliti said he then shot Payne as Payne was lying on the floor. Devaliti stated they then ran from the residence and left in a car driven by Sleeth.

Devaliti reported he went to an area around Fellows Lake with Sleeth, Keithley, and K.M. after they left the residence to dispose of the guns. According to Devaliti, they returned to the area around Fellows Lake the next day and collected the guns to dispose of them by burying them in a different location in Greene County. Devaliti also provided information that Keithley had brought the .22 caliber rifle Keithley had been armed with to his residence on 07/28/14.

On 07/29/14, Kearstain Sleeth provided a statement during a post-Miranda interview. Sleeth reported prior to this incident she told Devaliti, Keithley, and K.M. that she had been assaulted by a male subject. Sleeth stated they planned to go to the male subject's house to retaliate against him by assaulting him. She reported she drove Keithley, Devaliti, and K.M. to the subject's house. She said she parked near the residence and the three males approached the house. She stated they were gone for a very short period of time before they returned to the car. Sleeth denied that she saw Devaliti, Keithley, and K.M. armed with any firearms as they traveled to the male's house or after they arrived. Sleeth provided information that was inconsistent with statements provided by Keithley and Devaliti concerning her knowledge and involvement in this incident.

Based on information provided by Devaliti, a .22 caliber rifle was seized as evidence at a residence belonging to one of his relatives on 07/30/14. Also based on information provided by Devaliti and Keithley, detectives located pieces of dismantled guns buried in a wooded area in Greene County on 07/30/14.

The facts contained above are true.

Chris Bark

Signature

1016

DSN

Corporal

Title

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

Associate Division _____

STATE OF MISSOURI,)
vs. Plaintiff,)
KEARSTAIN N SLEETH ,) Case No. 1431-CR04028
Defendant.) OCN# 07047988
State of Missouri) PA File No. 077329910
County of Greene) ss.

FELONY COMPLAINT

COUNT I

(Missouri Charge Code: 1003199.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant, acting in concert with others, knowingly caused the death of Curtis Payne by shooting him, and defendant is further given notice that should the State submit murder in the second degree--felony under Section 565.021.1(2), RSMo, it will be based on the death of Curtis Payne as a result of the perpetration of the class B felony of burglary in the first degree under Section 569.160, RSMo, committed by defendant.

COUNT II

(Missouri Charge Code: 3101099.)

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 February 11, 2014, in the County of Greene, State of Missouri, the defendant, acting in concert with others, committed the felony of murder in the second degree 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.

COUNT III

(Missouri Charge Code: 1401099.)

The Prosecuting Attorney of the County of Greene, State of Missouri, charges that the defendant, in violation of Section 569.160, RSMo, committed the class B felony of burglary in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about February 11, 2014, in the County of Greene, State of Missouri, the defendant, acting in concert with others, knowingly entered unlawfully in an inhabitable

State v. KEARSTAIN N SLEETH

structure, located at 2357 S Dollison Ave, Springfield, Missouri and possessed by Curtis Payne, for the purpose of committing assault therein, and while in such inhabitable structure the another participant in the crime was armed with a deadly weapon; and another participant in the crime caused immediate physical injury to Curtis Payne, and Curtis Payne was not a participant in the crime; and there was present in such inhabitable structure, Victor Lowery, a person who was not a participant in the crime.

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



Dan Patterson
Prosecuting Attorney
Missouri Bar No. 41848
1010 Boonville Ave.
Springfield, MO 65802
(417) 868-4061
FAX (417) 868-4160

Dan Patterson, Prosecuting Attorney of the County of Greene, State of Missouri, says that the facts stated in the above information are true, according to his or her best information, knowledge and belief.



Dan Patterson
Prosecuting Attorney

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

STATE OF MISSOURI,)
vs. Plaintiff,)
KEARSTAIN N SLEETH) Case No. 1431-CR04028
Defendant.) PA File No. 077329910

PROSECUTING ATTORNEY'S BAIL/BOND RECOMMENDATION

The bail/bond recommendation of the Greene County Prosecutor, in this case, is as follows:

1. AMOUNT: \$250,000.00

- OPEN COURT ONLY BOND (by administrative order applies automatically to bonds \$25,000 and higher)
 State agrees to recognizance release by Court Order after the first court appearance upon the conditions of release in Exhibit A
 Hold without Bond

2. The State requests that the Court also impose the conditions of bond set out on the proposed Exhibit A to Arrest Warrant attached hereto and that such conditions be incorporated by reference upon the Warrant.

3. The State requests the Court set bond in the above amount and upon the conditions set out in Exhibit A to Arrest Warrant hereto for the following reasons: nature of offense, see pc statement

Respectfully submitted,



Dan Patterson
Prosecuting Attorney
Mo. Bar No. 41848
1010 Boonville
Springfield, MO 65804
(417) 868-4061
FAX (417) 868-4160

EXHIBIT A
TO ARREST WARRANT

State of Missouri v. Kearstain N Sleeth
Case No: 1431-CR04028

SPECIAL CONDITIONS OF RELEASE ON BOND SET BY THE COURT:

- OPEN COURT ONLY BOND
- State agrees to recognizance release by Court Order after the first court appearance with the below conditions of release
- Obey all laws
- No contact or communication with victim(s) or the victim's family in any manner or through any medium
- Not to possess any weapon, firearm or ammunition
- No contact or communication with Tyler Keithley or Jeremiah Devaliti in any manner or through any medium
- Not knowingly be on the premises of or within 1,000 feet of the victim(s) residence, or place of employment/education.
- Not to possess or consume alcohol or be on premises of establishment where the primary item for sale is alcoholic beverages
- Not to possess any drug/controlled substance unless prescribed for defendant by a physician
- No contact with children under seventeen (17) years of age
- Not to be on premises of any park, school, daycare, playground, recreational facility, or other place where children congregate
- Curfew from 8:00 p.m. to 5:00 a.m.
- Electronic monitoring/house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)
- GPS monitoring with house arrest from choose start time to choose end time (if no times specified, house arrest inside defendant's residence is 24 hours and 7 days a week) (Provider to report all violations to Court no later than within 24 hours)
- Travel exceptions for house arrest which must be prescheduled with Electronic Monitor/GPS provider:
- Defendant may travel directly to and from appointments with defense attorney
- Defendant may travel directly to and from medical appointments
- Defendant may travel directly to and from grocery store closest to residence
- Defendant may travel directly to and from place of employment
- The following locations where the victim may be found are already known to defendant and, pursuant to Section 566.226.2, RSMo., the Court FINDS that disclosure of such locations as ordered herein will not compromise but will instead facilitate the safety of the victim and, therefore, the Court ORDERS that prior to any release, the defendant shall be notified that he/she may not travel in or be in these exclusion zones and that said exclusion zones shall be made known to the Prosecutor's Office, Defendant's Attorney, Defendant's Pretrial Service Officer and/or Bondsman and the GPS provider:
- Other: