

Jacob A. Conard, #25949
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**IN THE DISTRICT COURT OF CHEROKEE COUNTY, KANSAS
SITTING AT COLUMBUS**

STATE OF KANSAS,)
Plaintiff,)
)
v.) **Case No. 2017-CR-000069**
)
WESLEY SMITH,)
1806 REDBUD DR.)
JOPLIN, MO 64801)
Defendant.)

AMENDED COMPLAINT

COMES NOW the State of Kansas, by Jacob A. Conard, Cherokee County Attorney,
and being first duly sworn on oath, gives the court to understand and be informed as follows:

Count 1
MURDER IN THE FIRST DEGREE - PREMEDITATED

On or about the **24TH** day of **FEBRUARY, 2017**, in Cherokee County, Kansas,
WESLEY SMITH, then and there being present did unlawfully, intentionally, and with
premeditation, kill a human being, to-wit: **TYLER MYERS**, in violation of **K.S.A. § 21-**
5402(a)(1), MURDER IN THE FIRST DEGREE, an off-grid person felony, an offense
punishable by life imprisonment without possibility of parole for 50 years and up to a
\$500,000.00 fine. **Penalties:** K.S.A. §§ 21-5402(b), 21-6604, 21-6611, 21-6620(c)(1)(A), 21-
6623, 21-6806.

Count 2
ATTEMPTED FIRST DEGREE MURDER – PREMEDITATED


On or about the **24TH** day of **FEBRUARY, 2017**, in Cherokee County, Kansas, **WESLEY SMITH**, then and there being present, did unlawfully, intentionally, and knowingly perform an overt act, to-wit: pointed a firearm at Rusty Tanner and pulled the trigger, that the defendant did so with the intent to commit premeditated first degree murder, and that the defendant failed to complete the commission of first degree murder, in violation of K.S.A. §§ 21-5301(a) and 21-5402(a)(1), **ATTEMPTED FIRST DEGREE MURDER, a severity level 1 person felony**, an offense punishable by 147 to 653 months imprisonment, a postrelease supervision term of 36 months, and a fine of \$300,000. Penalties: K.S.A. 21-5301(c)(1); 21-5402(b); 21-6804; 21-6604; and 21-6611.

ENDORSEMENT OF WITNESSES

Travis Fields
Brian Kerns
Robert Martin
Matthew Peters
Gavin Brittain
Michelle Tippie

Christopher Wren
David Groves
Arthur Adams
Darryl Nadeau
Jerry Dannels
Willis Annis

Mindy Butterfield
James Krokroskia
Dr. Erik Mitchell
Cory Moats
KBI Lab



Jacob A. Conard, #25949
Cherokee County Attorney

Subscribed and sworn to before me on this 14th day of March, 2017, by the above Cherokee County Attorney.



/s/ Kiersten Kramer

Notary Public

CERTIFICATE OF SERVICE

I, Jacob A. Conard, hereby certify on the 14th day of March, 2017, I caused a true and correct copy of the foregoing to be served as follows:

L. Dean Wilson
Electronic Filing



Jacob A. Conard, #25949
Cherokee County Attorney