

IN THE DISTRICT COURT OF FRANKLIN COUNTY, KANSAS  
FOURTH JUDICIAL DISTRICT

FILED  
CLERK OF DIST. COURT  
FRANKLIN COUNTY, MO  
2014 FEB 21 AM 3:49  
JR

STATE OF KANSAS, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 KYLE TREVOR FLACK, )  
 )  
 Defendant. )  
 )

Case No. 13 CR 104

**FIRST AMENDED COMPLAINT**

I, Stephen A. Hunting, Franklin County Attorney, of lawful age, being duly sworn on oath, state to the Court that

**KYLE TREVOR FLACK**

did the following:

**COUNT ONE – CAPITAL MURDER**

That on or about the 1<sup>st</sup> day of May, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there unlawfully, feloniously, intentionally and with premeditation kill more than one person, to-wit: **Kaylie Bailey and L.B. (xx/xx/2011)**, in two or more acts connected together constituting parts of a common scheme or course of conduct and that **KYLE TREVOR FLACK** was eighteen years of age or older at the time of the offense, an **off-grid person felony**, in violation of K.S.A. 21-5401(a)(6) & (c); K.S.A. 21-6806(c); K.S.A. 22-3717(b)(1); & K.S.A. 21-6620(a).

**COUNT TWO- MURDER IN THE FIRST DEGREE**

That on or about the 29<sup>th</sup> day April, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there unlawfully, feloniously, intentionally and with premeditation kill a human being, to-wit: **Andrew Adam Stout**, and that **KYLE TREVOR FLACK** was eighteen years of age or older at the time of the offense, an **off-grid person felony**, in violation of K.S.A. 21-5402(a)(1) & (b); K.S.A. 21-6806(c); K.S.A. 22-3717(b)(1); K.S.A. 21-6620(a) & (c); K.S.A. 21-6624(a); and Kyle Trevor Flack was previously convicted in Franklin County case # 05 CR 159 of attempted second degree murder in which Kyle Trevor Flack inflicted great bodily harm on another. **(State pursuing Hard 50 sentence pursuant to K.S.A. 21-6620)**

**COUNT THREE- MURDER IN THE FIRST DEGREE**

That on or about or between the 20<sup>th</sup> of April and 29<sup>th</sup> day of April, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there unlawfully, feloniously, intentionally and with premeditation kill a human being, to-wit: **Steven White**, and that **KYLE TREVOR FLACK** was eighteen years of age or older at the time of the offense, an **off-grid person felony**, in violation of K.S.A. 21-5402 (a)(1) & (b); K.S.A. 21- 6806(c); K.S.A.

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22-3717(b)(1); K.S.A. 21-6620(a) & (c); K.S.A. 21-6624(a); and Kyle Trevor Flack was previously convicted in Franklin County case # 05 CR 159 of attempted second degree murder in which Kyle Trevor Flack inflicted great bodily harm on another. (State pursuing Hard 50 sentence pursuant to K.S.A. 21-6620)

#### **COUNT FOUR- ATTEMPTED RAPE**

That on or about the 1<sup>st</sup> day of May, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there unlawfully, feloniously, and knowingly commit an overt act toward the perpetration of the crime of Rape, as defined by K.S.A. 21-5503, to-wit: removed **K.B.**'s shorts and underwear, bound **K.B.**'s hands behind her back, and gagged the mouth of **K.B.**, and attempted to engage in sexual intercourse with a person, to-wit: **K.B. (xx/xx/1991)** who did not consent, under circumstances when **K.B.** was overcome by force; with the intent to commit said crime, but failed in the perpetration thereof or was prevented or intercepted in executing said crime, a **severity level 3 person felony**, in violation of K.S.A. 21-5503(a)(1)(A) & (b)(1)(A); K.S.A. 21-5301, K.S.A. 21-6804, & K.S.A. 21-6807.

#### **COUNT FIVE- CRIMINAL POSSESSION OF A FIREARM**

That on or about or between the 20<sup>th</sup> of April and 6<sup>th</sup> of May, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there possess a firearm and the **KYLE TREVOR FLACK** has been convicted of a person felony in Franklin County case 05 CR 159, and **KYLE TREVOR FLACK** was found to be in possession of a firearm at the time of the prior crime, a **severity level 8 nonperson felony**, in violation of K.S.A. 21-6304(a)(1) & (b); K.S.A. 21-6804; & K.S.A. 21-6807.

#### **WITNESSES:**

Det. Jeremi Thompson  
Det. Bob Moews  
Sgt. Shane Pruitt  
Frontier Forensic personnel  
Corey Scholzthauer  
Dpty. Hunter Dryden  
Dpty. C. Bentley  
Amberly Stout  
Rachel Helms-Bailey  
Shona Osladil  
Shawn Leigh Pettijohn  
Det. J.W. Hawkin, Ottawa P.D.  
Det. Kiel Lasswell  
Rocky Helm  
Tammy McCoy  
Kenneth O. Douglas  
Amber L. Boyer  
Bobby McCoy  
Chewie LNU  
Great Southern Bank records custodian

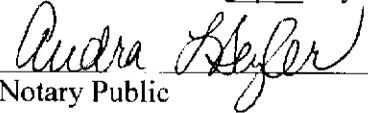
Det. Tammy Alexander  
Det. Mike Reid  
Dr. Erik Mitchell, M.D.  
Johnson County Crime Lab personnel  
Lt. Curtis Hall  
Andrew Neil Stout  
Dpty. B. Grossoehme  
Dpty. T. Jones  
Dylan Dean Phillips  
Kortni McGill  
Ofc. Dominick Vortherms, Emporia P.D.  
Det. Dean Ohman, Douglas County S.O.  
Det. Paul Strother, Jr. Osage County S.O.  
American Eagle Outfitters personnel  
Verizon Wireless records custodian  
T-Mobile records custodian  
Wal-Mart video records custodian (Emporia)  
Omar LNU  
Pomona Casey's video records custodian

FCSO #201300004034



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Subscribed in my presence and sworn to before me this 21<sup>st</sup> day of February, 2014.

  
Notary Public

