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

2014 APR 22 AM 9:20

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

Case No. 13CR 104

SECOND AMENDED COMPLAINT/ INFORMATION

I, Stephen A. Hunting, Franklin County Attorney, of lawful age, being duly sworn on oath, and for an on behalf of the State of Kansas gives the court to understand and be informed that:

KYLE TREVOR FLACK

did the following:

COUNT ONE – CAPITAL MURDER

That on or about 1st 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 29th 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 20th of April and 29th 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. 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- CRIMINAL POSSESSION OF A FIREARM

That on or about or between the 20th of April and 6th 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.

COUNT FIVE- SEXUAL BATTERY

That on or about 1st day of May, 2013, in the County of Franklin, State of Kansas, **KYLE TREVOR FLACK**, did then and there unlawfully and intentionally touch **K.B. (xx/xx/1991)** who was not the spouse of the **KYLE TREVOR FLACK**, and **K.B. (xx/xx/1991)** was 16 or more years of age and did not consent thereto, and **KYLE TREVOR FLACK** did so with the intent to arouse or satisfy the sexual desires of the offender or another, **a class A person misdemeanor**, in violation of K.S.A. 21-5505(a) & (c)(1) and K.S.A. 21-6602.

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

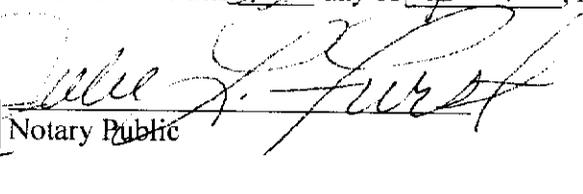
Det. Tammy Alexander
Det. Mike Reid
Dr. Erik Mitchell, M.D.
Johnson County Crime Lab personnel
Lt. Curtis Hall
Andrew Neil Stout
Dpty. B. Grosseohme
Dpty. T. Jones
Dylan Dean Phillips
Kortni McGill
Ofc. Dominick Vortherms, Emporia P.D.
Det. Dean Ohman, Douglas County S.O.
Det. Paul Strother, Jr. Osage 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

I, Stephen A. Hunting, Franklin County Attorney for Franklin County, Kansas in the Fourth Judicial District, being first duly sworn states that I have read the above and foregoing Amended Complaint/Information and know the content thereof, and that the same is true in substance and in fact to my best information and belief.



Stephen A. Hunting, #21648
Franklin County Attorney
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Ottawa, Kansas 66067
(785) 229.8970
Fax: (785) 229.8971

Subscribed in my presence and sworn to before me this 23rd day of April, 2014.


Notary Public

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