

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

FILED  
CLERK OF DISTRICT COURT  
FRANKLIN COUNTY, KANSAS  
2013 MAY 10 PM 3:39

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

Case No. 13CR104

**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 or between the 28<sup>th</sup> of April and May 6<sup>th</sup>, 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: **Andrew Adam Stout and/or Kaylie Bailey and/or L.B. (xx/xx/2011)**, as a part of the same act or transaction or in two or more acts or transactions connected together or constituting parts of a common scheme or course of conduct, **an off- grid person felony**, in violation of K.S.A. 21-5401(a)(6) & (c); K.S.A. 21-6804; & K.S.A. 21-6807.

**OR IN THE ALTERNATIVE TO COUNT ONE**

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

That on or about or between the 28<sup>th</sup> of April and May 6<sup>th</sup>, 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, an off- grid person felony**, in violation of K.S.A. 21-5402(a)(1) & (b); K.S.A. 21-6804; & K.S.A. 21-6807.

**OR IN THE ALTERNATIVE TO COUNT ONE**

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

That on or about or between the 28<sup>th</sup> of April and May 6<sup>th</sup>, 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: **Kaylie Bailey, an off- grid person felony**, in violation of K.S.A. 21-5402(a)(1) & (b); K.S.A. 21-6804; & K.S.A. 21-6807.

**OR IN THE ALTERNATIVE TO COUNT ONE**

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

That on or about or between the 28<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 unlawfully, feloniously, intentionally and with premeditation kill a human being, to-wit: **L.B. (xx/xx/2011)**, **an off- grid person felony**, in violation of K.S.A. 21-5402(a)(1) & (b); K.S.A. 21-6804; & K.S.A. 21-6807.

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

That on or about or between the 20<sup>th</sup> of April and 28<sup>th</sup> 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**, **an off- grid person felony**, in violation of K.S.A. 21-5402 (a)(1) & (b); K.S.A. 21-6804; & K.S.A. 21-6807.

**COUNT SIX – CAPITAL MURDER**

That on or about or between the 28<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 unlawfully, feloniously, intentionally and with premeditation kill a person, to-wit: **K.B. (xx/xx/ 1991)**, and **K.B. (xx/xx/1991** was the victim of Rape, as defined in K.S.A. 21-5503, and such killing was done in the commission of or subsequent to such Rape, **an off- grid person felony**, in violation of K.S.A. 21-5401(a)(4) & (c); K.S.A. 21-6804; & K.S.A. 21-6807.

**COUNT SEVEN- RAPE**

That on or about or between the 28<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 unlawfully, feloniously, and knowingly engage in sexual intercourse with a victim to-wit: **K.B. (xx/xx/1991)** who did not consent, under circumstances when she was overcome by force, **a severity level 1 person felony**, in violation of K.S.A. 21-5503(a)(1)(A) & (b)(1)(A); K.S.A. 21-6804, & K.S.A. 21-6807.

**COUNT EIGHT- 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

Det. Tammy Alexander  
Det. Mike Reid  
Dr. Erik Mitchell, M.D.  
Johnson County Crime Lab personnel  
Lt. Curtis Hall

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

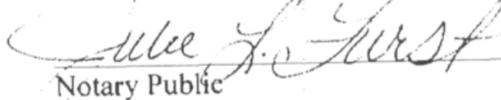
Andrew Neil Stout  
Dpty. B. Grossoehme  
Dpty. T. Jones  
Dylan Dean Phillips  
Kortni McGill  
Ofc. Dominick Vortherms, Emporia P.D.  
Det. Dean Ohman, Douglas County S.O.  
Det. Paul Strother, Jr. Osage County S.O.  
American Eagle Outfitters personnel  
Verizon Wireless records custodian  
T-Mobile records custodian  
Wal-Mart video records custodian (Emporia)  
Omar LNU  
Pomona Casey's video records custodian

FCSO #201300004034



Stephen A. Hunting, #21648  
Franklin County Attorney  
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Ottawa, Kansas 66067  
(785) 229.8970  
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Subscribed in my presence and sworn to before me this 10<sup>th</sup> day of May, 2013.

  
Notary Public

