



MISSOURI STATE HIGHWAY PATROL
PROBABLE CAUSE STATEMENT

STATE OF MISSOURI }
COUNTY OF CHARITON }
DATE: 05/31/2019

Missouri State Highway Patrol
CASE # 190305894
OCN:

Electronically Filed - Chariton - June 03, 2019 - 09:24 AM

I, TPR D. BRENTON, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

1. I have probable cause to believe that PLEASANT, JAMES WILLISS, currently residing at 309 LONG STREET, MENDON, MO 64660, born: [REDACTED], social security number: [REDACTED], hair/eye color: BLOND OR STRAWBERRY/BLUE, height/weight: 5'8" / 247, committed the offense(s) listed below on 05/31/2019 at 0720 hours, at/on RT-M ASPHALT, MO

2. State the facts that support a finding of probable cause to believe crime(s) was/were committed and that the accused committed the crime(s)

On May 31, 2019, James W. Pleasant, date of birth 11/6/73, of 309 Long Street, Mendon, Missouri, 64660, drove through barricades which stated the road was closed on Route M, westbound from Missouri 11, Chariton County. Also in the car was Alicia L. Meyer, date of birth [REDACTED], who is a primarily confined to a wheel chair. Pleasant drove into the flooded roadway despite the rushing water and his vehicle was subsequently washed off the south side of the roadway. Pleasant was able to escape through the trunk but Ms. Meyer was trapped in the car and perished after the vehicle sank. Her body was located in the submerged vehicle on June 4, 2019, at approximately 1200 hours. I believe to have probable cause for Involuntary Manslaughter 1st Degree-Homicide-Negligent Manslaughter-Vehicle.

3. For the issuance of a warrant in the misdemeanor case, complete the following, if appropriate.

A. I believe the defendant will not appear in court to respond to a criminal summons because
Insert facts to show the defendant will not appear, e.g. there is an outstanding warrant for failure to appear

B. I believe the defendant poses:*Insert one or all of the following*
Insert facts showing defendant is a danger to victim, e.g. cursing victim, assaulted victim, threatened victim.
(1) a danger to a crime victim because

Insert facts showing defendant poses a danger, e.g. intoxicated to a level which is unsafe
(2) a danger to the community or to any other person because

I, knowing that false statements on this form are punishable by law, state that the facts contained herein are true

/s/ TPR D. BRENTON
Signature

05/31/2019
Date



IN THE 9TH JUDICIAL CIRCUIT, CHARITON COUNTY, MISSOURI

Judge or Division: TERRY ALAN TSCHANNEN	Case Number: 19CH-CR00085-01
	<input type="checkbox"/> Change of Venue County: Case Number:
	Offense Cycle No.: DX000995
State of Missouri Defendant: JAMES W PLEASANT	vs. Prosecuting Attorney/MO Bar No.: CLIFFORD THORNBURG - 63292 Defense Attorney/MO Bar No.: ROBERT L. FLEMING - 30707
DOB: ████████ SSN: ████████ SEX: M	Appeal Bond Set Date: Amount:
<input checked="" type="checkbox"/> Pre-Sentence Assessment Report Ordered <input type="checkbox"/> Pre-Sentence Assessment Report Waived	

FILED

FEB 6 2020

Chariton County Circuit Court
ERIC STALLO, Clerk

(Date File Stamp)

Judgment

Count No. 1	<input type="checkbox"/> Misdemeanor	<input checked="" type="checkbox"/> Felony	Class	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C	<input type="checkbox"/> D	<input checked="" type="checkbox"/> E	<input type="checkbox"/> Unclassified
Charge Description: Involuntary manslaughter in the second degree	On this count, it is adjudged that the defendant has been:								
Charge Code: 565.027-001Y20170909.0	<input checked="" type="checkbox"/> Found guilty upon a plea of guilty								
Date of Offense: May 31, 2019	<input type="checkbox"/> Found guilty by a jury/court								
	<input type="checkbox"/> Dismissed/Nolle pros/found not guilty								

Count No.	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Felony	Class	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C	<input type="checkbox"/> D	<input type="checkbox"/> E	<input type="checkbox"/> Unclassified
Charge Description:	On this count, it is adjudged that the defendant has been:								
Charge Code:	<input type="checkbox"/> Found guilty upon a plea of guilty								
Date of Offense:	<input type="checkbox"/> Found guilty by a jury/court								
	<input type="checkbox"/> Dismissed/Nolle pros/found not guilty								

Count No.	<input type="checkbox"/> Misdemeanor	<input type="checkbox"/> Felony	Class	<input type="checkbox"/> A	<input type="checkbox"/> B	<input type="checkbox"/> C	<input type="checkbox"/> D	<input type="checkbox"/> E	<input type="checkbox"/> Unclassified
Charge Description:	On this count, it is adjudged that the defendant has been:								
Charge Code:	<input type="checkbox"/> Found guilty upon a plea of guilty								
Date of Offense:	<input type="checkbox"/> Found guilty by a jury/court								
	<input type="checkbox"/> Dismissed/Nolle pros/found not guilty								

The defendant has been found beyond a reasonable doubt to be a:

<input type="checkbox"/> Persistent Sexual Offender (566.125 RSMo)	<input type="checkbox"/> Predatory Sexual Offender (566.125 RSMo)
<input type="checkbox"/> Persistent Drug Offender (579.170 RSMo)	<input type="checkbox"/> Prior Drug Offender (579.170 RSMo)
<input type="checkbox"/> Persistent Misdemeanor Offender (558.016 RSMo)	<input type="checkbox"/> Dangerous Offender (558.016 RSMo)
<input type="checkbox"/> Persistent Offender (558.016 RSMo)	<input type="checkbox"/> Prior Offender (558.016 RSMo)
<input type="checkbox"/> Persistent Assault Offender (565.079 RSMo)	<input type="checkbox"/> Prior Assault Offender (565.079 RSMo)
<input type="checkbox"/> Persistent Offender (Intoxication-related Traffic Offense) (577.001 RSMo)	<input type="checkbox"/> Prior Offender (Intoxication-related Traffic Offense) (577.001 RSMo)
<input type="checkbox"/> Aggravated Offender (577.001 RSMo)	<input type="checkbox"/> Aggravated Boating Offender (577.001 RSMo)
<input type="checkbox"/> Chronic Offender (577.001 RSMo)	<input type="checkbox"/> Chronic Boating Offender (577.001 RSMo)
<input type="checkbox"/> Habitual Offender (577.001 RSMo)	<input type="checkbox"/> Habitual Boating Offender (577.001 RSMo)
<input checked="" type="checkbox"/> Not Applicable	

on February 6, 2020.

The court:

- Informs the defendant of verdict/finding, asks the defendant whether he/she has anything to say why judgment should not be pronounced, and finds that no sufficient cause to the contrary has been shown or appears to the court.
- Defendant has been advised of his/her rights to file a motion for post-conviction relief pursuant to Rule 24.035/29.15 and the court has found
- Probable cause No probable cause
to believe that defendant has received ineffective assistance of counsel.
- Finds the defendant has pled or been found guilty of a dangerous felony, as defined in section 556.061, RSMo, and if committed to the Department of Corrections, must serve at least 85% of the sentence.
- Finds the defendant has pled or been found guilty of an offense for which probation and parole are not authorized.
- Finds the defendant has pled or been found guilty of an offense that is subject to lifetime supervision pursuant to section 217.735 or 559.106, RSMo, and defendant must be supervised by Missouri Board of Probation and Parole for the duration of natural life, unless terminated after offender reaches age 65 or older.
- Finds the defendant has pled or been found guilty of an offense that is subject to an extended term of imprisonment.

On count 1 , the court:

- Suspends imposition of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Sentences and commits the defendant to the custody of Department of Corrections for a period of Four (4) years. Sentence to be served
 Concurrent Consecutive with _____
- Suspends execution of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Fines the defendant \$ _____. The court stays \$ _____ with the remainder due by _____ (date).

On count _____, the court:

- Suspends imposition of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Sentences and commits the defendant to the custody of _____ for a period of _____. Sentence to be served
 Concurrent Consecutive with _____
- Suspends execution of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Fines the defendant \$ _____. The court stays \$ _____ with the remainder due by _____ (date).

On count _____, the court:

- Suspends imposition of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Sentences and commits the defendant to the custody of _____ for a period of _____. Sentence to be served
 Concurrent Consecutive with _____
- Suspends execution of sentence. Defendant is placed on probation for a period of _____ under the supervision of _____. Defendant shall comply with the conditions set forth in the separate Order of Probation.
- Fines the defendant \$ _____. The court stays \$ _____ with the remainder due by _____ (date).

The court orders:

- The clerk to deliver a certified copy of the judgment and commitment to the sheriff.
- Clerk to send certified copy of the judgment or order to Children's Division and prosecuting attorney. Children's Division shall list the individual as a perpetrator of child abuse or neglect in the central registry.
- The sheriff to authorize one additional officer/guard to transport defendant to the Department of Corrections.
- That judgment is entered in favor of the state of Missouri and against the defendant for the crime victims compensation fund for the sum of
 - \$10.00 \$46.00 \$68.00.
 - Satisfied Unsatisfied
- Judgment for the State of Missouri and against the defendant for appointed counsel services in the sum of \$ _____
 - Satisfied Unsatisfied
- Judgment for restitution in the sum of \$ _____
 - Satisfied Unsatisfied
- Costs taxed against Defendant
- Costs waived.
- Defendant to report immediately to the _____ Department for fingerprinting. The Defendant is ordered to submit to the fingerprinting, and is further ordered to provide all information necessary for the officer taking the fingerprints to fully complete all identification and photograph portions of the standard fingerprint cards.
- Defendant to register as a sex offender with the chief law enforcement official of the county or city not within a county in which he/she resides within three (3) business days of adjudication, release from incarceration, or placement on probation.

- §217.362 RSMo Court Ordered Long-Term Substance Abuse Program
 - §559.115.2 RSMo General Population Department of Corrections shall provide a report and recommendation whether probation should be granted.
- The court recommends placement into a Department of Corrections 120-day program pursuant to §559.115:
- Institutional Treatment Program (§559.115.3) Department of Corrections shall provide a report and may provide recommendations whether probation should be granted 30 days prior to the probationary release date. (Statutory Discharge)
 - Shock Incarceration Program (§559.115.3) Department of Corrections shall provide a report and may provide recommendations whether probation should be granted 30 days prior to the probationary release date. (Statutory Discharge)
 - Sexual Offender Assessment (§559.115.5) (Mandatory if the Defendant has pled guilty or been found guilty of sexual abuse, class B felony.) Upon completion of the assessment, Department of Corrections shall provide a report and may provide recommendations whether probation should be granted.
 - §217.785 RSMo Non-Institutional Post Conviction Drug Treatment Program
 - §217.785, RSMo Institutional Post Conviction Drug Treatment Program

The court further orders: _____

- Defendant is placed on house arrest with electronic monitoring for a period of _____
 - All costs associated to the electronic monitoring shall be charged to the defendant.
 - Defendant is unable to afford the costs associated with electronic monitoring. All costs associated with electronic monitoring will be paid by the county commission.

So Ordered:

2/6/20
Date

TJ TSD
Judge

I certify that the above is a true copy of the original Judgment and Sentence of the court in the above cause, as it appears on record in my office.

COURT SEAL OF



CHARITON COUNTY

Issued on _____ Date

_____ Clerk

IN THE CONSOLIDATED CIRCUIT COURT OF CHARITON COUNTY, MISSOURI

DIVISION ONE

STATE OF MISSOURI,

PLAINTIFF,

v.

JAMES W. PLEASANT,

DEFENDANT.

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CASE NO. 19CH-CR00085-01

ADVICE OF RIGHTS UPON CONVICTION
PURSUANT TO RULE 29.07(b)(4)

It is my duty to advise you of your post-conviction rights under Supreme Court Rule 24.035 or 29.15, whichever rule applies. A person who is convicted of a felony may seek relief from this court if he claims either that the conviction or sentence:

- (1) Violates the constitution or laws of this state or the Constitution of the United States, or
- (2) That this Court when imposing the sentence was without jurisdiction to do so, or
- (3) The sentence imposed was in excess of the maximum sentence authorized by law.

Missouri Supreme Court Rules 24.035 or 29.15, or both, provide the only way by which you may seek relief for the above claims.

There is a criminal procedure form #40 available for your use in filing this motion. That form is available to you at no cost.

You must understand that any motion to vacate, set aside, or correct the judgment and sentence under this rule:

- (1) Must be filed with this court within 180 days of an appealable judgment or sentence being entered, unless you appeal this court's judgment or sentence, or
- (2) If an appeal is taken, it must be filed with this court within 90 days after the date the mandate of the appellate court issues affirming this judgment and sentence.

If you file this motion, you shall include every ground known to you for vacating, setting aside or correcting the judgment or sentence.

Failure to file the motion within these time limits constitutes a complete waiver of any right you may have to seek relief under Missouri Supreme Court Rules 24.035 or 29.15, or both, in this court.

There is no cost deposit required for you to file this motion.

If you are indigent and file your own motion, an attorney will be appointed for you.

James W. Pleasant
DEFENDANT

2/6/20
DATE

[Signature]
WITNESS
#30707