

**IN THE CIRCUIT COURT OF BOONE COUNTY  
STATE OF MISSOURI**

<p><b>State of Missouri,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>JEFFREY E. McWILLIAMS,</b></p> <p style="text-align: center;"><b>Defendant.</b></p>	<p><b>Case No. 21BA-CR01797-01</b> <b>Div. II</b></p>
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**MOTION TO SET BOND AND/OR 7 DAY BOND HEARING**

COMES NOW the Defendant, by and through counsel, and prays that this Honorable Court will grant his motion hold a hearing and to set a reasonable bond. Defendant is currently held in custody NO Bond Set. Defendant requests a seven-day hearing after his May 11, 2021, arrest and that a bond amount be set at \$50,000 cash or surety or such other amount as the Court deems reasonable and just for the following reasons:

1. Missouri Supreme Court Rule 33.01 states, (a) “Any defendant charged with a bailable offense shall be entitled to be released from custody pending trial or other stage of the criminal proceedings.” (emphasis added) the rule permits the court to establish reasonable conditions.
2. Rule 33.05 requires a that detained citizen shall have a bail hearing “as soon as practicable but no later than seven working days . . . “

3. The present NO bond is in violation of the Eighth Amendment to the United States Constitution and Article I, Sections 20 and 21 of the Missouri Constitution, which provides that excessive bail shall not be required and all persons must be bailable by sufficient sureties, except in capital offenses, when proof is evident or the presumption is great. The Government alleges in Count I - charges Murder 2d Degree, RSMo 565.021. Count II – Robbery 1<sup>st</sup> Degree, RSMo 570.023 and Count III Charges Armed Criminal Action, RSMo 571.015.
4. On **April 27, 2021**, Columbia Police Detectives obtained a buccal swab for DNA comparison from Jeffrey McWilliams with a warrant referencing a murder. On May 11, 2021, Jeffrey McWilliams was arrested on these present charges. As an innocent man Jeffrey McWilliams did not flee the jurisdiction or otherwise conceal himself after providing a DNA sample to the government.
5. The DNA sample obtained by the government matched DNA on an item of clothing with a connection to the crime scene. In the government's probable cause statement for this matter a person identified as "L.J." represented that "J.C." stated "(J.C.), D.M. and "Jeff" went to commit a robbery, and D.M. shot and killed the

homeowner. L.J. stated he did not know “Jeff’s” last name, but he knows “Jeff” owns a restaurant named McLanks.” The last part of this statement is not even hearsay but pure conjecture by L.J.

6. On December 07, 2017, four days before this murder occurred Jeffrey McWilliams’ family opened McLanks Family Restaurant. Jeffrey McWilliams was the general manager and opening shift cook. This shift had him at the restaurant prepping for the morning meal by 5 AM and closing after 9PM before running the Point of Sale (PoS) reports and closing the business down for the evening.  
(See attached letters)
7. The December 11, 2017, murder of Augustus Roberts has resulted in numerous federal prosecutions and no public connection or allegation from those has been made by the federal authorities against Jeffrey McWilliams,
8. The Defendant has been a long-time resident of BOONE County, MO for over 25 years, has strong family connections (including a child) in this community and has equity interest in small business(es) owns property in the community which provides him strong ties to this community, and

9. Defendant has one prior misdemeanor conviction for Unlawful Use of Drug Paraphernalia from 2013 (13BA-CR00373) and no other convictions, and

10. Defendant seeks the opportunity to answer of these charges in open court, and

11. Defendant has strong ties to the community and is not a flight risk or danger to the community, and

11. The present bond is in violation of the Eighth Amendment to the United States Constitution and Article I, Sections 20 and 21 of the Missouri Constitution, which provides that excessive bail shall not be required and all persons must be bailable by sufficient sureties, except in capital offenses, when proof is evident or the presumption is great.

WHEREFORE, The Defendant, by and through counsel respectfully requests that this Honorable Court change the NO BAIL and set a reasonable bail amount and that amount be set at \$50,000 cash or surety or such other amount as the Court deems reasonable and just.

Respectfully submitted,

/s/ Stephen Wyse  
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**Certificate of Service**

I hereby certify that a true copy of the above and foregoing was served by filing with the Clerk of the Court and thereafter by automatic transmission to the Office of County Prosecutor on this 19TH day of May, 2021.

/s/ Stephen Wyse  
Stephen Wyse