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CLERK OF THE SEDGWICK COUNTY DISTRICT COURT

CASE NUMBER: SG-2024-CR-001749

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS

State of Kansas

Plaintiff(s)

vs.

Case No. SG-2024-CR-001749

Daitrez J Birch

Defendant(s)

AFFIDAVIT OF PROBABLE CAUSE

STATE OF KANSAS)
) ss
SEDGWICK COUNTY)

DAITREZ J. BIRCH
B/M: DOB: XX-XX-2000
SSN: XXX-XX-7267
LEO # 24C148077
KADR # 3087G2404303

I, Ryan T. Tyrrell #2286, of lawful age, being first duly sworn on oath, depose and state:

Your Affiant is a detective with the Wichita Police Department, and in that capacity was assigned the follow-up investigation of Wichita Police Department case **24C148077**. This incident occurred on **August 20, 2024**, in Wichita, Sedgwick County, Kansas. During this investigation, your Affiant learned the following information:

At approximately 0725 hours, on August 21, 2024, officers were dispatched to 8200 W. Irving on report of a possible deceased individual located in the trunk of a vehicle. The calling party, **Earl W. Brinklow (54, W/M)**, who is an employee of the Delux Inn located at 8401 W. Kellogg Dr, reported that the vehicle was a white Mercedes Benz E-Class sedan, bearing Kansas license plate 2419AFP, which was parked in a field across from 8219 W. Irving.

Upon their arrival, Officers Fulcher #2516 and Gonzalez #2421 approached the vehicle and saw that the trunk was taped shut with black electrical tape. Officer Gonzalez observed dried red marks on the left side of the trunk that he believed to be dried blood. Looking from the driver's side, Officer Gonzalez was able to see a what appeared to be a human foot wearing a sock stuck between the top of the right side of the trunk and the rear corner panel. After looking inside the trunk, with the use of his flashlight, Officer Gonzalez observed what appeared to be the legs of a person wearing blue jeans.

After opening the trunk to attempt to render aid, Officer Gonzalez observed a person wrapped in a bed comforter, with his head towards the front of the car and his legs sticking out of the comforter. Officer Gonzaez noted that there was no sound coming from within the trunk. The individual was later identified as **Kyce Barnes (39, B/M)**. Wichita Fire Engine 17 arrived on scene a short time later and pronounced Kyce deceased at 0754 hours.

Officer Gonzalez contacted Earl who reported that he is the housekeeper at the Delux Inn. Earl said that approximately 0330 hours on that date he was told by the motel maintenance man called "Kentucky," later identified as **Brandon Farris (37, W/M)**, that "Kowley," which is an alias Kyce is also known by, shot his gun off however, Earl said that he did not hear any gunshots. Earl said that the vehicle in the field belonged to Kyce whom he last saw driving it approximately

three hours prior to the time of call. Earl also said that earlier in the day he saw Kyce walking with a black male whom he knows as "Dai Dai" that stays in room 132, who he later identified as **Daitrez J. Birch (23, B/M)**. Earl said that Birch is associated with a male called "Dnut" who stays in room 142, whom he later identified as **Derrick Waite (43, B/M)**.

Officers Atondo #1795 and Williams #2174 were sent to the Delux Inn where they contacted the owner **Hasu Bhakta (60, A/M)**. Hasu told the officers that he had allowed Kyce, a former resident of the motel, into room 141 on the evening of August 20, 2024. Officers went to room 141 to check for possible additional victims but found no one inside. While at the room, Sgt. Miller #2041 observed what appeared to be dried blood on the exterior of the door to the room in addition to the base of the metal threshold.

Det. Chrisman later spoke to Hasu who reported that Kyce had stayed at the motel in the past, in a different room at the motel, but had recently moved out. On the evening of August 20, 2024, Hasu said that Kyce asked him to open room 141 for him so that he could get property from the room for the tenant, a female named "Jasmine," whom he said had left town and gone to Kansas City. Hasu also confirmed to Det. Chrisman that Birch had rented room 132 at the motel.

Hasu allowed Det. Chrisman to view surveillance video from the Delux Inn. In the video, Det. Chrisman saw that at approximately 2158 hours on August 20, 2024, a black male that Hasu identified as Kyce pulled a white female into the room 141 and shut the door. A short time later, Det. Chrisman observed the female leave the room and return a short time later with a black male. Det. Chrisman saw the black male and the white female walking back and forth several times to and from room 141. At one point, Det. Chrisman observed the black male appearing to be helping Kyce get into the aforementioned Mercedes, in which Kyce's body was later located.

Det. Chrisman observed that at approximately 2212 hours on August 20, 2024, the white Mercedes backed up to the front door of room 141. Det. Chrisman saw the same female that Kyce had pulled into the room taking items from the trunk of the car and placing them into a nearby shopping cart. Det. Chrisman observed at approximately 0112 hours on August 21, 2024, a black male, who Hasu identified as Birch, drive the white Mercedes away from the motel room and leave eastbound on Kellogg Dr. Det. Chrisman learned that the business' surveillance system does not record continuously, recording only when it detects motion, which caused the system to not record all of the activity on the property.

On August 21, 2024, Det. Perkins contacted Brandon Farris at the motel. Brandon reported that the past evening he'd been laying tile in room 139 when he heard an argument outside.

Brandon said that it was two males loudly cursing and using "gang language" after which, they began acting "buddy, buddy." Brandon said that he then left the room to go to the front office. Prior to reaching the office, Brandon said he heard what sounded like three car door slams after which he left. Brandon denied telling Earl anything about "Kowley" shooting a gun.

Det. Chrisman and your Affiant contacted **Tina L. Arrington (43, W/F)** at the Delux Inn and interviewed her. Tina said that she is homeless but frequently stays at the Delux Inn. Tina said that she and a friend, whom she refused to identify, were in an electric closet at the Deluxe Inn for approximately 30 minutes during which time she heard two "thumps" shortly after which she heard three more "thumps." Tina said that she initially believed that it was her friend kicking something inside the room. Tina said that she went outside into the parking lot where she had contact with Brandon who told her that he had heard gunshots. Tina said that Brandon told her that "Kowley" shot somebody while Brandon was in room 139. Tina said that Brandon told her that "Kowley" was angry and that he heard two gunshots which were followed by three additional gunshots.

Tina said that while she was in the parking lot she saw "Twin," who she later identified as **Taryn S. Bowman (18, W/F)**, also in the parking lot. She described Taryn as "Kowley's" "side piece." Tina said that she saw Taryn taking items from the trunk of a white Mercedes, which she believed to be Kyce's vehicle, that was parked backed-in in front of room 141.

Later, Tina said she went to another individual's room at the motel who she referred to as "Junior," but did not know his name. While in Junior's room she saw a black male she knows as "Meech," who she later identified as **Demetrius M. Hill (48, B/M)**, wearing blue rubber gloves and also saw him wearing orange or red mechanic gloves. Also in Junior's room, Tina said that she saw "Dai Dai," who she later identified as Birch, wearing blue latex gloves, "like at the doctor's office." Tina also said that they possibly had blood on them. After seeing Birch and Hill, Tina said that she left Junior's room.

Tina said that she was in the parking lot and later saw Hill and Birch wrestling with something heavy into Kyce's car however, she couldn't see what the object was. A while later, Tina said that she was walking in the area and saw brake lights in the field behind the Indian Motorcycle Store at 8205 E. Kellogg Dr. She said that she went and spoke with an unknown male working on a truck near the Delux Inn and they walked to the car because she believed someone may need help. Tina said that she didn't see anyone inside but saw that there was duct tape on the trunk which was partially open and could see a foot with a sock and blue jeans. Tina said that she

believed that Kyce had shot someone.

On August 21, 2024, a search warrant was executed on room 141 of the Delux Inn. During a search of the room, blood, a black short barrel shotgun, drug paraphernalia, a single 9 mm shell casing were located.

On August 22, 2024, Dr. Schainost conducted a post-mortem examination on Kyce Barnes at the SCRFSC. Following the examination, Dr. Schainost listed the cause of death as "Gunshot wounds," the manner of death as "Homicide," and noted the following preliminary findings:

- Gunshot wounds
 1. Chin; in and out chin; jaw fractures; indeterminate trajectory
 2. Right upper chest, in and out, soft tissue only; indeterminate trajectory
 3. Right upper chest out axilla, in right arm (re-entry), jacket from right posterior shoulder, projectile fragment right anterior shoulder
 4. Right upper abdomen to spleen, left diaphragm, left lateral rib 10; right to left, front to back, slightly upward
 - Recovered fragments abdomen x 2 (jacket)
 - Behind left kidney (jacket and projectile fragment)
 - Left back projectile fragment
 5. Right mid abdomen to small bowel, right psoas muscle; right to left, front to back, downward
 - Recovered projectile from right psoas
 6. Left posterior thigh out left anterior thigh; soft tissue only; back to front; left to front; right to left; upward
 7. Right posterior arm, fractures right humerus; recovery projectile from right anterior arm
 8. Right flank to right diaphragm, thoracic spine; projectile recovered from thoracic spine; back to front; right to left; upward
 - 2 projectiles recovered from pants
 - Pellet in right posterior arm – very small
 - All indeterminate range of fire
 - Peritonitis (early) of left lower abdomen

On August 22, 2024, your Affiant and Det. Chrisman interviewed Taryn S. Bowman in Investigations. Taryn reported that she was recently in a dating relationship with a male named

“Kowley,” whom she identified as Kyce Barnes, for approximately one month during which time they lived at the Delux Inn. Taryn said that after they broke up, she continued to live with Kyce while she was involved in prostitution for him. After she stopped working for Kyce, Taryn said she started dating a male named “Dai Dai,” who she later identified as Daitrez J. Birch. Taryn said that on the afternoon of August 20, 2024, she was in room 132 at the Delux Inn where she was staying with Birch, when Kyce came over. Taryn said that Kyce told her that he was just released from the Sedgwick County Jail. Taryn said that he took a shower and was given some food before leaving. Taryn said that Kyce said he wanted to see her.

Taryn said that she later went to room 141 where Kyce was taking property belonging to **Jasmine R. Gray (24, B/F)**. Taryn said that she and Kyce got into an argument after Taryn said that she was going to take some things from the Jasmin’s bathroom which Kyce told her she couldn’t do. Taryn said that she then went to walk out of the motel room and was grabbed by the back of the neck by Kyce and pulled back into the room. Taryn said that Kyce punched her in the face, grabbed her, and threw onto the bed. Taryn said that Kyce pointed a gun, which she described as a “Ruger” long gun and had a black barrel with red and white writing, at her head which she punched away. While on top of her, Taryn said that Kyce then grabbed her by her neck and strangled her causing her to nearly lose consciousness. Taryn said that she was able to grab a nearby chair and struck Kyce after which she was able to get away from him. Taryn said that Kyce then snatched \$200.00 from underneath the strap of the bra she was wearing. After Kyce refused to return her money, Taryn said that she left the room and returned to her room.

Taryn said that once back at her room, she told Birch what happened. Taryn said that she and Birch then went to room 141 and confronted Kyce. Taryn said that Kyce and Birch got into a verbal argument during which Kyce refused to return her money and again pointed his gun at her head, which she said she slapped away. Birch told Taryn to go back to the room and stay there which she did, leaving Birch behind with Kyce. While she was back at her room, she heard several gunshots followed by several more. Birch came back to the room a short time later wearing a red and yellow jacket, which he hadn’t been wearing previously, after which they left to another nearby motel.

While at the other motel, Taryn confronted Birch on what had happened, and Birch finally told her. Taryn said that Birch told her that after she left Kyce and he continued to argue. Taryn said that Birch told her that during the argument, Kyce lifted his gun and cocked it, causing him to believe Kyce was going to shoot him, and Kyce told him that that he was going to come over

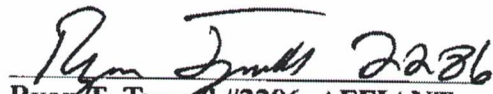
later that night and kill both Taryn and him, which he “put on Piru,” which she said was related to his blood criminal street gang affiliation. Taryn said that Birch told her that he killed Kyce because he promised her mother that he would protect Taryn at all costs.

Taryn said that Birch told her that he went to “Dnut’s” room, who she later identified as **Derrick Watie (43, B/M)**, and got a firearm from him. Taryn said that Birch told her that he fired it twice striking Kyce in legs. Taryn said that Birch said that after the gun jammed he went back to Watie and got another gun which he then used to shoot Kyce several more times killing him.

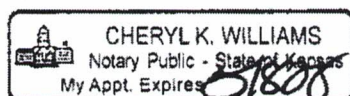
Taryn said that after learning what happened, she went back to the Delux Inn where she was followed by Birch, who wore a red hoodie that he was given at the previous motel. Once at room 141, Taryn said that she observed that Kyce’s body was still on the floor on the north side of the bed just inside the door. Taryn said that there was a lot of blood on the floor. Taryn said that she went into the bathroom so that she did not have to see Kyce. Taryn said that Birch told her she had to help him get rid of the body, but she refused. Taryn said that Birch gave her a black sheet and told her hold it up and block the camera view which Taryn said that she held up extra high so that police would be able to see it on the camera. Taryn said that Birch cleaned up the blood that was in room 141 with a towel, which he later threw away. Taryn said that Birch, along with the assistance of Hill and another unknown black male, loaded Kyce’s body into the trunk of Kyce’s Mercedes. Taryn said that Birch told her that after she left, he drove the vehicle to a field.

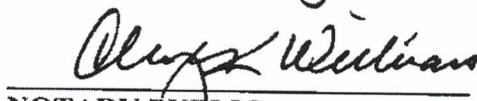
On August 27, 2024, officers located Birch at the McDonald’s located at 1811 N. Hillside and took him into custody. After being transported to Investigations, your Affiant attempted to conduct a post-Miranda interview with Birch however, he refused such and asked for his lawyer.

FURTHER AFFIANT SAITH NOT.


Ryan T. Tyrrell #2286, AFFIANT

SUBSCRIBE AND SWORN to before me on this 30 day of August, 2024.




NOTARY PUBLIC

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