



nr 09-11944

IN THE DISTRICT COURT OF OKLAHOMA COUNTY)
STATE OF OKLAHOMA)

VS.)

AFFIDAVIT OF
PROBABLE CAUSE

KERR, NIKOLAS DAVID)
1333 GLEN COVE DR.)
EDMOND, OK. 73013)
S.S.N.: [REDACTED])
D.O.B.: 03/24/90)
HGT: 6'00 WGT: 160)
HAIR: BRO EYES: BLU)

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

DEC 14 2009

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

PATRICIA PRESLEY, COURT CLERK
by [Signature]
DEPUTY

ss. _____

I, Detective Mark Oak, being a duly sworn Police Officer for the City of Edmond do swear the following statements to be true:

That on 10/18/09, at approximately 1545 hours I was contacted by Sgt. Woodmansee in reference to a possible homicide involving the victim identified as Dwhite Morgan. At approximately 1645 hours I arrived at the crime scene located at 102 W. First St. in Edmond, OK., which is located in Oklahoma County. Mr. Morgan was a homeless person that lived in the alley behind the Farmer's Grain business located at 102 W. First St. Mr. Morgan was found lying in his living quarters next to the fence behind the business. It was obvious that Mr. Morgan was deceased.

On 11/10/09, at approximately 0619 hours I spoke to Edmond Police Officer Rieger who stated a person identified as Shaun Parker had come to the Edmond Police Department stating he knew who had killed Mr. Morgan. Your Affiant responded to the Edmond Police Department and began interviewing Mr. Parker. Mr. Parker said on 10/18/09 he and his wife, Heather Parker, were living with her father at 4204 Jordan Ave. in Edmond. Mr. Parker said his wife received a phone call from her friend, Connor Mason, who asked if he could come by to see her. Mr. Parker said Mr. Mason arrived at the home between 1030 - 1100 hours. Mr. Parker said Mr. Mason asked him and his wife what their favorite body part was and they replied, "the neck." Mr. Parker said Mr. Mason pulled out a plastic bag from his pocket and opened it. Mr. Parker said he saw what looked like a clear plastic glove covered with what he believed to be blood. Mr. Parker said he asked his wife what was in the glove and she told him it was a finger. Mr. Parker said he asked Mr. Mason if the finger was real and he replied, "that depends on whether you're going to call the police." Mr. Parker said he told Mr. Mason he wasn't going to call the police and that was when Mr. Mason told him it was real. Mr. Parker said he never actually saw the finger but believed his wife when she told him it

was a finger.

Mr. Parker said Mr. Mason told him he had killed a homeless guy and he had been planning the murder since May 2009. Mr. Parker said Mr. Mason said he had hit the homeless guy in the head with a hammer until the hammer head flew off and took out his pocket knife to finish him off. Mr. Parker said Mr. Mason told him he had cut the victim's throat to keep him from yelling out. Mr. Parker said Mr. Mason also told him the victim had raised up and asked him why he was doing it.

Mr. Parker said Mr. Mason told him he was wearing a black hoody with silver colored rings at the time of the murder. Mr. Parker could not give me a description of the knife used in the murder, but stated Mr. Mason had told him he had purchased the knife a few weeks prior to the murder. Mr. Parker also stated another girl named Emily Sanders came over to their home and saw the finger. Mr. Parker said Ms. Sanders had also heard Mr. Mason talking about the incident.

On 11/10/09 Your Affiant interviewed Heather Parker, Emily Sanders, and Connor Mason about the information received from Mr. Parker. Mrs. Parker, Ms. Sanders, and Mr. Mason all denied the incident had occurred.

On 12/11/09, at approximately 1010 hours Your Affiant began interviewing Thomas Gens at the Edmond Police Department. Mr. Gens lived at 3621 Wynn Dr. #22 from late September 2009 to the middle of November 2009. Mr. Gens said he shared the apartment with Connor Mason, Eric Giffey, and the Defendant (Nikolas Kerr).

Mr. Gens told me about an incident that occurred around the time of Mr. Morgan's murder. Mr. Gens said he was at his apartment (3621 Wynn Dr. #22) with Connor Mason, Mr. Giffey, the Defendant, and another friend named Daniel North. Mr. Gens said Mr. Mason and Mr. North left the apartment for about an hour. Mr. Gens said Mr. Mason was very excited and happy when he returned to the apartment about an hour later. Mr. Gens said Mr. Mason showed him a black and gray colored watch that did not have a band attached to it. Mr. Gens said he followed Mr. Mason into their bedroom and that was where Mr. Mason pulled out of his pocket a clear glove similar to the ones used by food service handlers. Mr. Gens said Mr. Mason let him look inside the glove, which contained what he believed to be a human finger. Mr. Gens said the finger was very dirty and noticed dirt under the fingernail. Mr. Gens said the finger appeared to be real. Mr. Gens said the finger and the glove appeared to be stained with what looked like blood.

Mr. Gens said he followed Mr. Mason into their bathroom and heard him say he had blood on his face. Mr. Gens said Mr. Mason began telling him what he had done. Mr. Gens said Mr. Mason told him Mr. North had parked his vehicle near their previous home located at 15 S. Walnut in Edmond. Mr. Gens said Mr. Mason said Mr. North waited in the car while he went and killed a homeless guy by hitting him with a hammer and stabbing him with a knife. Mr. Gens said approximately 30

minutes after Mr. Mason and Mr. North returned to the apartment, Mr. Mason asked him if he and the Defendant could borrow his vehicle to drive back to the scene to retrieve a flashlight he had dropped. Mr. Gens described the flashlight as a black LED style flashlight.

Your Affiant interviewed Mr. North on 12/11/09 at the Edmond Police Department. Mr. North confirmed the information given by Mr. Gens relating to giving Mr. Mason a ride to his old apartment located at 15 S. Walnut in Edmond to get some clothing items. Mr. North said prior to them leaving the Defendant's apartment he saw Mr. Mason grab a clear plastic mask with red lips and blue/purple eyes. Mr. North said when they arrived at Mr. Mason's old residence, Mr. Mason exited the vehicle and was gone for what seemed a very long time. Mr. North said when Mr. Mason returned to his vehicle he was wearing the mask. Mr. North said Mr. Mason showed him a watch without a band and told him he was ready to go. Mr. North said Mr. Mason was not carrying any clothing items when he returned to the vehicle.

Your Affiant also interviewed the Defendant (Nikolas Kerr) at the Edmond Police Department on 12/11/09. During the interview, the Defendant admitted hearing Mr. Mason talking about how he had murdered a homeless man. The Defendant said the conversation took place shortly after Mr. Mason and Mr. North returned to the apartment from the crime scene. The Defendant said he did not initially believe Mr. Mason had actually killed a homeless man, but the more Mr. Mason talked about the incident the more believable it became. The Defendant admitted to driving Mr. Mason back to the murder scene to help him look for a flashlight he had apparently left behind. The Defendant said Mr. Mason was silent and breathing hard while traveling back to the scene. The Defendant said he parked their vehicle on the street just west of the crime scene and Mr. Mason exited the vehicle. The Defendant said Mr. Mason walked down the alley to look for the flashlight and was gone for approximately 20 minutes. The Defendant said Mr. Mason was walking back to the vehicle when he decided to exit the vehicle to help him look for the flashlight. The Defendant said Mr. Mason did pull back a tarp exposing Mr. Morgan's body. The Defendant said he could tell Mr. Morgan was dead because of the large cuts in his neck. The Defendant said he was not sure if Mr. Mason ever found his flashlight.

On 12/11/09 at 2115 hours, members of the Edmond Police Department executed a search warrant for evidence of a homicide at 3621 Wynn Drive apartment 22. During the execution of the search, we contacted the Defendant (Nikolas Kerr), Jade Rolen-Goza, Emily Sanders, Joshua Pitchford and a juvenile male inside the apartment. The Defendant was detained inside the apartment while the search was executed. In the living room, officers found a clear plastic baggie with a green leafy residue sitting on the entertainment table. Next to the plastic baggie were several green stems that through the officer's training and experience identify the substance as marijuana and smoked roach blunts in the ash tray. In the far south east bedroom was a ceramic water bong pipe commonly used in smoking marijuana.

I believe that based on the above facts and circumstances that sufficient probable cause does exist for filing the criminal charge of Accessory to Murder after the Fact, Possession of Marijuana, and Possession of Drug Paraphernalia. These crimes did occur in Oklahoma County.

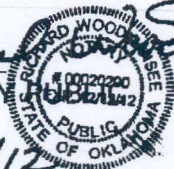
AFFIANT

Mark A. Cook

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12th DAY OF December 2009.

Richard Wood

NOTARY



MY COMMISSION EXPIRES: 12/12/12

00020290

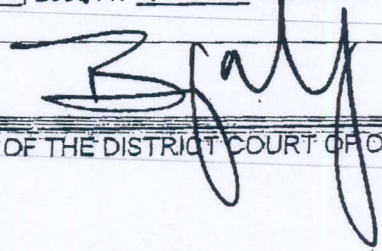
STATE OF OKLAHOMA)
) SS:
OKLAHOMA COUNTY)

----- THIS COURT HAVING CONDUCTED A PROBABLE CAUSE DETERMINATION
FOR THE SUBJECT'S ARREST WITHOUT A WARRANT FINDS: -----

PROBABLE CAUSE FOR THE SUBJECT'S ARREST DOES EXIST
AND DID AT THE TIME OF THE ARREST.

PROBABLE CAUSE DID NOT EXIST FOR THE SUBJECT'S
ARREST AND THE SUBJECT IS ORDERED RELEASED
IMMEDIATELY.

DONE THIS 13th DAY OF December, 2008 AT 11:00 O'CLOCK PM (AM)



JUDGE OF THE DISTRICT COURT OF OKLAHOMA COUNTY
