

STATE OF INDIANA
MARION COUNTY, ss:

IN THE MARION SUPERIOR COURT
CRIMINAL DIVISION

Cause No: 49

STATE OF INDIANA)
)
 vs.)
)

INFORMATION
COUNT I
MURDER
I.C. 35-42-1-1(1)
A FELONY

Kenyon Webster B/Male
DOB 3/15/1990

On this date, the undersigned Deputy Prosecuting Attorney of the Nineteenth Judicial Circuit, being duly sworn on his/her oath (or having affirmed), says that in Marion County, Indiana

COUNT I

On or about January 7, 2022, Kenyon Webster did knowingly kill another human being, to-wit: Derrick Mooney;

all of which is contrary to statute and against the peace and dignity of the State of Indiana.

January 13, 2022
Date

RYAN MEARS
Marion County Prosecutor
19th Judicial Circuit

/s/ Matthew Bavender
Matthew Bavender, #25478-48
Deputy Prosecuting Attorney

State's Witnesses:
KEITH ALBERT
THOMAS CLARK
MICHAEL DUKE
CHRISTOPHER HIGGINS
KYLA JOHNSON
MICHAEL MCWHORTER
DOUGLAS MORNING
STEVEN SMALLEY
GARY TOMS
K. G.
Gregory Schmunk M.D.

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Detective Stephen Smalley swears (affirms) that:

On January 7, 2022, at 10:42 p.m. IMPD Officers were dispatched to XXXX North Bolton Avenue reference a person shot. A 911 caller later identified as K. G. said her baby's father killed her boyfriend. Other 911 callers told dispatch that someone was shot in a vehicle at XXXX North Bolton Avenue and the suspect fled in a pickup truck. Responding officers found a subject, later identified as Derrick Mooney, deceased from apparent gunshot injuries. Mooney was in the driver's seat of a red Chevrolet Malibu, later determined to be registered to K. G. K. G. told officers that Mooney had been shot by her child's father, Kenyon Webster. Detectives Stephen Smalley, Michael McWhorter, Douglas Morning, and Christopher Higgins responded to the scene with Sergeants John Breedlove and Michael Duke. Detective Gary Toms applied for, and was granted, a search warrant for the vehicle, cause number 49D30-2201-MC-000762.

Crime Scene Specialist Kyla Johnson responded to process the scene. The vehicle was found to have been struck by gunfire on the driver's window and door. The vehicle's windows were darkly tinted, the driver's window was rolled down a few inches. Sixteen 9mm shell casings were recovered from the ground near the rear driver's side of the vehicle. Mooney was found to have a .40 caliber handgun on the right side of his lap. There were no .40 caliber casings located at the scene. Mooney had defects to his head, neck, and chest.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Stephen Smalley

AFFIANT

DATED: 01/13/2022

Affidavit for Probable Cause

From: Detective Stephen Smalley

Detective Smalley was approached at the scene by J. C., mother of Kenyon Webster. J. C. came to the scene after receiving a call from her son, C. C., who is a brother to Kenyon Webster. C. C. received a call from someone who said that Webster had shot Mooney, and he passed the information on to J. C. J. C. said she had last seen Webster at approximately 5 p.m. and that he was going to a birthday party at a bowling alley for a son he has with K. G. J. C. told Detective Smalley that Webster drives a big truck that is registered to C. C. J. C. identified a person at the scene as C. C. Detective Smalley spoke to C. C., who said he did not know what was going on.

Detective Smalley and Sergeant Breedlove took a recorded statement from K. G. at 50 North Alabama Street. K. G. said she was picked up by her children's father, Kenyon Webster, at her mother's apartment at XXXX North Bolton Avenue at approximately 4:30 p.m. to go to a birthday party for their son at a bowling alley. Webster noticed that K. G.' vehicle was not at the apartment complex and became suspicious that she had loaned it to her boyfriend, Derrick Mooney. K. G. had loaned the car to Mooney but told Webster that she had given the car to her sister. K. G. had been in a relationship with Webster from 2009 to 2020 and has three children with him. K. G. knows Webster to be jealous, controlling, and violent so she did not want Webster to know that Mooney had the car. Webster had made threats in the past to kill K. G. and Mooney because of their relationship, which had been ongoing for two years. K. G. and Webster went to the bowling alley with their children and Webster continued to angrily question K. G.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Stephen Smalley

AFFIANT

DATED: 01/13/2022

Affidavit for Probable Cause

From: Detective Stephen Smalley

about her car, who had it, and if Mooney had it. Webster left the bowling alley and returned with a male she believed to be his cousin.

Before Webster returned with the male, K. G. saw that their son was upset and learned that he told Webster that Mooney had K. G.' car. K. G. called her sister and told her that if Webster asked about her car, to tell him that she had it. K. G. did not want Webster to drive her home from the bowling alley after the party, so she called a friend to take her and her children back to her mother's apartment at XXXX N Bolton Avenue. Webster left the bowling alley with his cousin and his daughter in the same vehicle he had driven to pick up K. G., a large, dark-colored pickup truck with oversized wheels and a lightbar over the front windshield. K. G. knows the truck to be Webster's and told Detective Smalley that it was registered to Webster's brother, C. C.

After leaving the bowling alley, K. G. was at her mother's apartment for approximately one hour waiting for Mooney. Webster called K. G. repeatedly during this time. K. G. answered one of the calls and Webster said, "Tick tock, tick, tock. You know what that means?" K. G. made a video call to Webster to determine where he was, and Webster did not answer. At 7:06 p.m. Webster sent K. G. a text message saying, "Shit funny huh imma kill him tonight."

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Stephen Smalley

AFFIANT

DATED: 01/13/2022

Affidavit for Probable Cause

From: Detective Stephen Smalley

K. G. was afraid that Webster was watching her mother's apartment building, so she arranged for Mooney to pick her up at Community East Hospital. She exited the building's rear door, walked around the building to look for Webster, and cut through a field to be sure she wasn't being followed. Mooney picked up K. G. in her vehicle near Community East Hospital and they went to K. G.' home. K. G. had a game for her son and Mooney insisted that she take it to him at her mother's apartment because it was his birthday.

Mooney drove K. G. to her mother's apartment at XXXX North Bolton Avenue in K. G.'s vehicle. They parked behind the building because K. G. was afraid Webster was watching the front of the building. K. G. went inside and left Mooney in the vehicle. She dropped the game off to her son and exited the building. She saw Webster's truck stopped near the rear of her vehicle. Webster exited the passenger side of the vehicle with a gun in his hand. Webster fired several shots into the driver's door of the vehicle where Mooney was seated. K. G. screamed for Webster to stop. Webster made eye contact with K. G. but did not say anything before leaving the scene in his truck.

K. G. saw that Mooney was shot, called 911, and waited for officers to arrive. K. G. said Webster had a history of domestic violence with her. He had previously struck her with objects, choked her, and sicced his dog on her. Webster once asked K. G. if she would be heartbroken if he killed Mooney. K. G. said she never pursued charges against Webster because she did not I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Stephen Smalley

AFFIANT

DATED: 01/13/2022

Affidavit for Probable Cause

From: Detective Stephen Smalley

want him to go to jail. Detective Smalley showed K. G. a photo array containing a photograph of Kenyon Webster. K. G. identified Webster as the person she saw shoot Mooney.

K. G. provided Detective Smalley with a voicemail she received from Webster at 10:39 p.m., approximately three minutes before Mooney was shot. A male voice was heard saying “Look, her car is right there.”

On January 10, 2022, Detective Smalley attended the autopsy of Derrick Mooney at the Marion County Coroner’s Office. Preliminary results found Mooney to have approximately eleven gunshot injuries to his head, neck, and chest. The shots were determined to be left to right from an indeterminate distance. Doctor Gregory Schmunk determined the cause of Mooney’s death to be multiple gunshot injuries and the manner of death homicide.

All above events occurred in Marion County, Indianapolis, State of Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44-2-1, that the foregoing representations are true.

/s/ Stephen Smalley

AFFIANT

DATED: 01/13/2022_____