

Probable Cause Statement

I, John L. Volkerding, an investigator for the Cape Girardeau County Prosecuting Attorney's Office, 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 Mercedes Makeda Ayers, B/F, DOB: 08/10/1995, committed burglary in the first degree and assault in the third degree-hate crime in Cape Girardeau County, Missouri.

2. The facts supporting this belief are as follows:

(1) On July 24, 2012, at approximately 7:44 p.m., Patrolman Timothy Miller of the Cape Girardeau Police Department was dispatched to 622 S. Park Street in Cape Girardeau, Missouri, regarding a fight in progress. The report had been that several subjects were assaulting one female, who was on the ground. As he arrived, Mercedes Makeda Ayers saw him and immediately began to run from the area. A witness pointed at her and yelled, "That's her! Right there!" Miller caught up with her and placed her into custody. It turned out that she had just assaulted a victim named Jeana Marie Terry.

(2) Jeana Marie Terry told investigators that she lives with Lisa Renee Lange at 622 S. Park in Cape Girardeau. Lange owns the home. On July 24, 2012, Mercedes Makeda Ayers came to the door of their home uninvited and when Jeana Marie Terry opened the door, Ayers reached in and attacked her. She grabbed her by the arm and pulled her onto the porch and swung at her with her fist. Terry fled outside and yelled for Lange to call 911. Outside the home, Ayers pursued Terry and punched her several times with her fists. Juveniles joined in the assault and also hit and kicked Terry. Terry never hit back. She merely covered up and blocked blows. Mercedes Makeda Ayers hit her several times. Mercedes Makeda Ayers did not have the permission of either Lisa Lange or Jeana Marie Terry to reach into the home and grab Terry.

(3) Lisa Lange reported to investigators that Mercedes Makeda Ayers has been yelling derogatory names at her and Jeana Marie Terry for some time. Lange and Terry are gay and are in a relationship. Ayers has called them "dykes" and "yaps" (gays spelled backward) and has referred to herself when yelling, "I'll bet you want some of this black pussy!" Lange said that shortly before the assault on July 24, 2012, she had seen Lange sitting near a window rolling cigarettes and had yelled at her, calling her a "dyke" and saying she was going to get her brother and come back and "beat her ass." Minutes later she returned and attacked Terry.

(4) Lange witnessed the assault upon Terry and confirmed that Terry never threw any blows.

(5) Juvenile Court Judge Scott Lipke has certified Mercedes Makeda Ayers for prosecution as an adult for these crimes.

8/14/2012
Date


John L. Volkerding

MERCEDES MAKEDA AYERS
 619 South Park
 Cape Girardeau, MO 63701
 M/F DOB: 08/10/1995
 SSN: [REDACTED]
 CCN:

WARRANT FOR ARREST

STATE OF MISSOURI)
) SS. Case No.
 COUNTY OF CAPE GIRARDEAU)

IN THE CIRCUIT COURT OF CAPE GIRARDEAU COUNTY, MISSOURI

THE STATE OF MISSOURI TO ANY PEACE OFFICER IN THE STATE OF MISSOURI:

The court having found probable cause hereby commands you to arrest **MERCEDES MAKEDA AYERS**, who is charged with the following:

COUNT: I

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Section 59.160, RSMo, committed the class B felony of burglary in the first degree, punishable upon conviction under Section 558.011, RSMo, in that on or about July 24, 2012, in the County of Cape Girardeau, State of Missouri, the defendant knowingly entered unlawfully in a building, located at 622 South Park, Cape Girardeau, Missouri, and owned by Lisa Lange, for the purpose of committing assault therein, and in effecting entry there was present in such building Jeana M. Terry, a person who was not a participant in the crime.

Charge Code: 1401002.0

COUNT: II

The Prosecuting Attorney of County Cape Girardeau, State of Missouri, charges that the defendant either acting alone or knowingly in concert with another, in violation of Sections 563.070 and 557.035, RSMo, committed the class D felony of assault in the third degree – hate crime, punishable upon conviction under Sections 558.011, 560.011 and 557.035, RSMo, in that on or about July 24, 2012, in the County of Cape Girardeau, State of Missouri, the defendant attempted to cause physical injury to Jeana M. Terry by hitting her upon the head with her fists,

and the defendant was knowingly motivated to do so by reason of a motive related to the sexual orientation of Jeana M. Terry.

Charge Code: 1304513.0

The foregoing is alleged to have been committed within the jurisdiction of this court and in violation of the laws of the State of Missouri, and you are to bring the defendant forthwith before this court to be here dealt with in accordance with law; and you, the officer serving this warrant, shall forthwith make return hereof to this court.

WITNESS THE HONORABLE Benjamin F. Lewis, Judge of the said court and the seal thereof, issued in the county and state aforesaid on this 14th day of August, 2012.

Benjamin F. Lewis
Judge

BOND SET AT: \$10,000⁰⁰ w/condition of absolutely no contact with Jeana M. Terry by any means.

RETURN

Served the within warrant in my County of _____ and in the State of _____ on this _____ day of _____, _____, by arresting the within named defendant and producing defendant before the said court on the _____ day of _____.

NOTICE: Upon arrest or for additional information, immediately contact the Cape Girardeau Police Department, 40 S. Sprigg, Cape Girardeau, MO 63703 (573) 335-6621.

PROSECUTOR: H. Morley Swingle Prosecuting Attorney, Courthouse, 100 Court Street, Jackson, MO 63755: (573) 243-2430