

Dallas County Sheriff's Office

204 S Poplar, Buffalo, MO 65622

Warrant Affidavit

Dallas County Sheriff's Office

Case #: 21-604

Affidavit of Probable Cause

I, CD. D CHEEK, 153, knowing that false statements on this form are punishable by law, state that the facts contained herein are true.

I have probable cause to believe that

NORTON, TIMOTHY LEROY Address [REDACTED]

DOB [REDACTED] SSN [REDACTED] Race W Sex M Height 600 Weight 245 Eye Color BLU Hair Color GRY

committed one or more criminal offense(s):

Table with 4 columns: Offense, State Statute, Type / Class, State Extended Code. Rows include ABANDONMENT OF A CORPSE, KIDNAPPING, and MURDER 1ST DEGREE.

On August 25, 2021, Dallas County Sheriff's Office received a missing persons report on Cassidy Rainwater a 33 year old female of the Lebanon, Missouri area. Upon speaking with the reporting party, Cora Terry, I learned Cassidy was last seen approximately 6 weeks prior to the report. During follow up investigations Terry advised that the last person Cassidy was known to be in contact with was James Rainwater (which was later determined to be James Phelps) at 386 Moon Valley Road in Lebanon Missouri, within Dallas County.

That same day Deputy Chris Clarke responded to 386 Moon Valley Road to perform a well being check on Cassidy, but never located any sign of Cassidy.

On September 1, 2021, Sergeant Robby Simmons responded to 386 Moon Valley and spoke to a subject identified as James Phelps. According to James, Cassidy had been staying with him until she could get back on her feet. Phelps told Sgt. Simmons she had been staying there for a couple of weeks. Phelps told Sgt. Simmons she was talking about going to Colorado. Phelps stated about a month prior to this date, Cassidy had left in the middle of the night. She had met with a vehicle at the end of the driveway in the dark and he has not seen or heard from her since.

On September 16, 2021, the Federal Bureau of Investigation (FBI) provided Dallas County Sheriff Investigators with a series of photographs. These photographs were sent to the FBI as a cyber tip, and the series of photos had been titled "Cassidy" by the person who sent in the tip. The series of photographs depicted a partially clothed female in a cage who was immediately recognizable as Cassidy. The remaining photographs depicted Cassidy's body bound to a gantry crane device (commonly used for processing wild game), and her evisceration and dismemberment.

That same day, September 16, 2021, Sergeant Robby Simmons responded to 386 Moon Valley Road. Once on scene Sgt. Simmons determined 386 Moon Valley Road was the same scene from the photographs provided by the FBI. At that time, James Phelps was arrested and transported to the Dallas County Detention Center. Sgt. Simmons then secured the scene.

Affidavit applied for on : 11/05/2021 1007

[Signature]

Deputy

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Sergeant Robby Simmons then contacted me, Chief Deputy Darren Cheek, and requested my assistance with the investigation. At that time, I applied for a search warrant for the property of 386 Moon Valley Road and several electronic device search warrants. Once I was able to acquire search warrants for the property and electronic devices, the Dallas County Sheriff's Office, along with assistance from the FBI and the Greene County Sheriff's Office Crime Scene Unit, executed the search warrants. Over the next week investigators processed the entire crime scene. During the processing of the crime scene physical evidence was located including the gantry crane located behind the residence. Located inside of the residence was potential blood evidence and items from the freezer that appeared to be human flesh dated 07-24. These items were sent to the crime lab for testing, which the lab confirmed to be consistent with Cassidy's DNA. Skeletal remains believed to be Cassidy's were located on the adjacent property where Phelps had disposed of them. Investigators were also able to locate digital evidence on electronic devices seized. This digital evidence was sent to the computer forensic lab to be analyzed. While being analyzed, messages between James Phelps and Timothy Norton were uncovered planning the murder of Cassidy on July 24, 2021.

On September 17, 2021, Dallas County Sheriff's Office Sergeant Labby and Agent Atwood of the FBI attempted to interview James Phelps. During this interview Phelps invoked his right to an attorney and refused to answer any questions.

On September 20, 2021, FBI agents Atwood and Heath interviewed Timothy Norton at the Dallas County Sheriff's Office. During this interview, Norton subsequently confessed to the murder of Cassidy. Norton told Agents that Phelps asked Norton to come over while Cassidy was still sleeping. Norton stated that Phelps had Cassidy sleep on the floor by the front door of the cabin so they had easy access to attack Cassidy. Norton stated he held her legs down while Phelps strangled her and placed a bag over her head. Norton stated that after Cassidy was deceased he and Phelps took a short break before carrying her body outside. Norton stated that Phelps then bound her to the gantry crane, and Phelps began the evisceration and dismemberment of Cassidy's body. Norton then helped Phelps carry Cassidy's dismembered body into the residence and placed her body into the bathroom tub. After Agents Atwood and Heath concluded the interview with Norton, I, Chief Deputy Darren Cheek, placed Norton under arrest for the kidnapping and murder of Cassidy.

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Deputy