

IN THE MAGISTRATE COURT OF

Morgan

State of West Virginia

v

Misdemeanor / Felony

Andy Jackson McCauley
Defendant (Full Name)

215 92
XXX-XX- 7505
Social Security Number

03/12/1978
Date of Birth

15 Greenway Drive
Address

E808822
Driver's License / Identification Number

Berkeley Springs WV 25411
City, State & Zip Code

Phone Number(s)

CRIMINAL COMPLAINT

Mag. Ct. Criminal Procedure Rule 3,4;18 U.S.C §921(a)(33)

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about May 8, 2019, in Morgan County, West Virginia, in violation of West Virginia Code § (cite specific section, subsection, and or subdivision, if applicable) the defendant did (state statutory language of the offense)

Murder-----61-2-1

I further state that this complaint is based upon the following facts: See attached

Continued on an attached sheet? Yes No

(If this complaint involves misdemeanor assault / battery [West Virginia Code § 61-2-9] or misdemeanor domestic assault/ battery [West Virginia Code § 61-2-28], check all that apply.)

The defendant

- is/was the victim's spouse. is/was living with the victim as a spouse, parent, or guardian.
- is/was a parent or guardian of the victim. is a person who is like a spouse, parent, or guardian of the victim.
- has a child in common with the victim. has none of the above connections to the victim.

Complainant (who appears before Magistrate):
 Corporal F.H Edwards
 Complainant Name (Full Name)
 14 Trooper Drive
 Address
 Martinsburg WV 25402
 City, State & Zip Code
 304-267-0001
 Phone Number(s)
 Investigator Sheriff K.C. Bohner
 Office or Title, if any
 5/17/19
 Date
 [Signature]
 Complainant Signature

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

Finding	Issuance
<input type="checkbox"/> No probable cause found	<input type="checkbox"/> Summons issued
<input checked="" type="checkbox"/> Probable cause found	<input checked="" type="checkbox"/> Warrant issued
	<input type="checkbox"/> Warrantless arrest

5-17-19
 Date
 [Signature]
 Magistrate Signature

STATUTORY LANGUAGE:

§61-2-1. First and second degree murder defined; allegations in indictment for homicide.

Murder by poison, lying in wait, imprisonment, starving, or by any willful, deliberate and premeditated killing, or in the commission of, or attempt to commit, arson, kidnapping, sexual assault, robbery, burglary, breaking and entering, escape from lawful custody, or a felony offense of manufacturing or delivering a controlled substance as defined in article four, chapter sixty-a of this code, is murder of the first degree. All other murder is murder of the second degree.

In an indictment for murder and manslaughter, it shall not be necessary to set forth the manner in which, or the means by which, the death of the deceased was caused, but it shall be sufficient in every such indictment to charge that the defendant did feloniously, willfully, maliciously, deliberately and unlawfully slay, kill and murder the deceased.



CRIMINAL COMPLAINT FOR ANDY JACKSON MCCAULEY Jr

On Wednesday May 8, 2019, at approximately 1804 hours the Morgan County Sheriffs Department received the report of a missing juvenile (Riley Crossman 12/22/2003) 15 years of age. The initial report advised that Riley had not come home from school that day and the mother of the victim, Chantel Oakley, was notified same date at approximately 1800 hours, via Berkeley Springs High School Automated text message. Chantel advised she resides at 15 Greenway Drive Berkeley Springs WV (Morgan County).

The initial report advised the child was last seen at her residence May 7, 2019 at approximately 1900 hours by her grandmother. The mother (Chantel) advised when she got home that day at approximately 2230 hours, she saw Riley's bed room light on (door closed) and Andy McCauley was downstairs in the reclining chair asleep and her (2) other son's Riker and Rider were also down stairs asleep in the living room area.

Chantel advised when she woke up that morning, at approximately 717 hours, she checked Riley's bedroom and did not see her there and assumed she walked to School. Chantel advised they live within walking distance and Riley walks to School daily. Chantel advised she received the text message from the School that evening and contacted the police to make the report.

During the course of the investigation, Corporal F.H. Edwards and Deputy Shambaugh received information, from an eye witness, who observed a green in color Dodge 2500 work truck with a ladder rack, backed into the residence of 15 Greenway Drive on May 8th 2019, at approximately 1000 hours.

During the course of the investigation, on Friday, May 10, 2019, Corporal F.H. Edwards and Deputy Shambaugh had the opportunity to speak to Andy McCauley (who is the boyfriend of Chantel Oakley) regarding his whereabouts on Wednesday May 8, 2019, at approximately 1000 hours. During that interview, Andy advised of his activities on Wednesday morning. McCauley initially stated that he traveled to his job as a construction worker in the Red Hill subdivision on Ridge Road South near Hedgesville, WV on the morning of May 8th. During this interview, multiple inconsistencies were noted. It was initially reported by Andy that he never left the work site that day (Hedgesville Berkeley County), without asking permission to drive a work truck. It was also learned Andy does not have a license and typically does not drive. Upon further questioning, Andy advised he did leave the job site (new home construction), where he took a work truck and left to go the Eagle Plaza Store to purchase drugs from individuals he did not know and did not know how to get ahold of. Upon further questioning, Andy advised he actually took the work truck and drove it back to his residence at 15 Greenway Drive Berkeley Springs WV to get some drugs for himself and co-worker Johnny Walter.

Andy advised he was at the Greenway Drive residence for a short period of time, approximately 30 minutes and immediately traveled back to the worksite.

It was later determined after a witness interview that Andy McCauley had cocaine in his possession before leaving the worksite to go to his residence and would not have needed to travel back to Berkeley Springs to obtain additional cocaine.

During the course of the investigation, May 15, 2019, a search was conducted of the Green in color Dodge, which was utilized solely by Andy, where fresh dry wall mud splatter was located in the bed of the truck. Cadaver dogs were also utilized and indicated to the positive presence of a deceased person odor being in the bed of the truck, specifically underneath of the utility toolbox in the bed of the truck. The truck was searched at the Morgan County Sheriff's Department.

During the course of the investigation, on May 16, 2019, Corporal F.H. Edwards and Deputy Shambaugh had the opportunity to speak to Andy McCauley at the Martinsburg State Police Detachment. During that interview, Corporal F.H. Edwards spoke to Andy about further inconsistencies in his previous statements to law enforcement. Corporal F.H. Edwards advised how video captured his vehicle leaving his job site (Hedgesville Berkeley County) on the day of Wednesday May 8, 2019, at approximately 0900 hours. The vehicle was then tracked via video surveillance West on Route 9 towards the direction of the residence (15 Greenway Drive), which was also confirmed by Andy. Andy advised he was at the residence for approximately 15-30 minutes where he shot cocaine with a needle (previously Andy told Corporal F.H. Edwards and Deputy Shambaugh he does not use needles and he sniffs cocaine). Andy advised he left the residence and traveled back Route 9 towards Martinsburg where he was gone for approximately 1.5 to 2 hours. Corporal F.H. Edwards then advised of discrepancies where there is no video of Andy traveling back on WV Route 9, towards Hedgesville. Corporal F.H. Edwards advised how he was observed coming back to the subdivision where he was working at approximately 1340 hours and the direction of Route 9 was not used. Video surveillance was located and does not show Andy traveling back Route 9, but showed him traveling to the Berkeley Springs home via Route 9. Video was located that depicted the same Green in color Dodge Truck near 8240 Apple Harvest Drive (Hernandez Store) traveling eastbound at approximately 1241 hours. Andy advised at that time he was traveling back Route 9 and was not in the location of Apple Harvest Drive, where video surveillance refutes his statement. During the course of the interview, Andy advised how he had a container of dry wall mud in the bed of the truck, which spilled during his travels to or from the residence, where the splatter was in the bed of the truck. Corporal F.H. Edwards discussed the inconsistencies with Andy where he said he was certain he traveled back to the job site on Route 9, where video refutes his statement and puts him on Apple Harvest Drive.

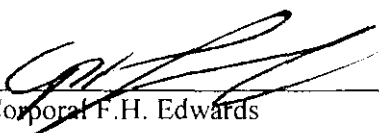
The following inconsistencies were noted during the interview

- Andy would not admit to driving a vehicle (Green Dodge Truck) and later admitted to driving it.
- Andy then advised he took the truck to go to Eagle Plaza to get drugs from unknown individuals.
- Andy then states he goes to the house (Berkeley Springs) to get cocaine where he already had cocaine in his possession
- Andy stated he does not shoot and he sniffs his drugs, where Andy stated he goes to the house to shoot his drugs.
- Andy stated he travels West on Route 9 to Berkeley Springs residence, which was confirmed through video.
- Andy states he travels back east on Route 9 to the Hedgesville job site.
- Video surveillance refutes that direction of travel and places the green Dodge truck in the vicinity of 8240 Apple Harvest Drive 1241 hours, where it never travels eastbound on Route 9 at any point in time.
- Andy advised he was not in the vicinity of Apple Harvest Drive, where video contradicts his statements
- Video surveillance shows Andy leaving the construction site at approximately 0900 and arrives back at 1341 hours, being a total of 4 hours and 40 minutes, which contradicts his time frame of being away from the site for 1.5 to 2 hours.

During the course of the investigation, May 16, 2019, a female body was located in the area of Tuscarora Pike just east of Swinging Bridge Road over steep drop off (Berkeley County) which was later determined (personal clothing affect, dental spacers) to be Riley Crossman. The body also had what appeared to be dry wall mud on her right shoulder and right foot. The location of possible dry wall mud on the body is consistent with the alert by a cadaver dog to the rear of the truck where drywall mud was also located.

The location of the body is in an area consistent with a route of travel that could have been taken by McCauley from Berkeley Springs to Hedgesville. This possible route of travel explains why video surveillance does not depict McCauley in the green Dodge Truck traveling East on Route 9 from Berkeley Springs to Hedgesville on May 8th.

Based on the information above, this officer requests a criminal charge of murder against Andy McCauley.


Corporal F.H. Edwards