



NEWS RELEASE  
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FOR IMMEDIATE RELEASE

Jury Finds Springfield Man Guilty of First Degree Murder  
in Connection with 2018 Homicide

SPRINGFIELD, Mo. – Greene County Prosecuting Attorney Dan Patterson announces that Daniel Jay Smith, 32, of Springfield, Missouri was found guilty by a Greene County Jury of the 2018 murder of Marcus Gilbert, also of Springfield, Missouri.

Smith was found guilty of four counts contained in the felony information. The jury found Smith guilty of First Degree Murder, Armed Criminal Action, Unlawful Use of a Weapon, and Unlawful Possession of a Firearm by a felon. The jury found Smith not guilty of Domestic Assault in the 2<sup>nd</sup> Degree.

On August 5, 2018, victim Marcus Gilbert was fatally shot once in the head in a house located in the 1100 block of North Grant Avenue, in Springfield. A witness inside the residence identified Daniel Jay Smith, stating that she was upstairs at the time of the gunshot, and went to see what had occurred. When she arrived she observed Smith close the door of the room where the victim was, and exit the residence. She stated that his face was partially covered and that he was holding something in his hand.

A second witness told law enforcement that she had been in a romantic relationship with Smith, but tried to end it. Smith was unwilling to accept that. She stated that she was with the victim on the night of August 4, 2018 into the early morning hours of August 5, 2018, when she began to receive communications from Smith indicating that he knew another man was at the residence and that he was going to respond to the residence. Instead, the witness went to him to avoid a confrontation at the home. Smith demanded that she drive him back to the area of her home while holding a gun to her head. She drove him to a location approximately a block from the house, and he ran from the car in the direction of her residence. After approximately 3-

Subject: Greene County Prosecuting Attorney Press Release, State v. Smith, 1831-CR04884

4 minutes, he returned to the vehicle and told her that he wasn't messing around and demanded that she drive him away from the area.

A friend of Smith's told law enforcement that the day of the murder, he spoke with Smith, who stated that he was "in trouble for a murder" and that his "name came up in a murder situation."

Smith was found guilty as a prior and persistent felony offender. He has prior felony convictions for trafficking drugs in the second degree, possession with intent to distribute, and several convictions for felony possession of a controlled substance. At the time of the murder, he was on felony parole.

The jury trial was presided over by The Honorable Thomas Mountjoy. The sentence for the charge of First Degree Murder in Missouri is life in prison without the possibility of parole. Judge Mountjoy set a sentencing hearing for December 3, 2021 at 2:00 p.m., following a sentencing assessment report by the Department of Probation and Parole.

**This case was investigated by the Springfield Police Department and Detective Cody Williams was the lead investigator assigned to the case.**

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