

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

**UNITED STATES OF AMERICA,**

v.

**23-cr-00016-WAL-EAH-1**

**ENOCK COLE**

**Defendant.**

**NOTICE OF INTENT TO SEEK THE DEATH PENALTY**

The United States of America, by and through its undersigned counsel and pursuant to 18 U.S.C. § 3593(a), notifies the Court and Defendant **ENOCK COLE** that the United States believes the circumstances in Count Three of the Indictment (Use of a Firearm During a Crime of Violence Resulting in Death) are such that, in the event of a conviction, a sentence of death is justified under 18 U.S.C. § 3591, *et seq.*, and that the United States will seek the sentence of death for this offense.

The United States proposes to prove the following factors as justifying a sentence of death with regard to Count Three:

1. Defendant **ENOCK COLE** was 18 years of age or older at the time of the offense (18 U.S.C. § 3591(a)).
2. The government will prove the following intent factors enumerated under 18 U.S.C. § 3591(a)(2)(A)–(D) in justifying a sentence of death:
  - a. **ENOCK COLE** intentionally killed the victim (18 U.S.C. § 3591(a)(2)(A));
  - b. **ENOCK COLE** intentionally inflicted serious bodily injury that resulted in the death of the victim (18 U.S.C. § 3591(a)(2)(B));
  - c. **ENOCK COLE** intentionally participated in an act, contemplating that the

life of a person would be taken or intending that lethal force would be used in connection with a person, other than a participant in the offense, and the victim died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C)); and

d. **ENOCK COLE** intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than a participant in the offense, such that participation in the act constituted a reckless disregard for human life and the victim died as a direct result of the act (18 U.S.C. § 3591(a)(2)(D)).

3. The government will prove the following statutory aggravating factors enumerated under 18 U.S.C. § 3592(c) in justifying a sentence of death:

a. **ENOCK COLE** in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense (18 U.S.C. § 3592(c)(5)).

4. Pursuant to 18 U.S.C. § 3593(a), the government will prove the following other aggravating factors in justifying a sentence of death:

a. **ENOCK COLE** was on pretrial release from a murder charge at the time he committed the crime charged in Count Three of the Indictment, and was later convicted of second-degree murder in relation to that charge; and

b. **ENOCK COLE** killed the victim to in an attempt to obstruct justice by eliminating a witness to the robbery.

Respectfully submitted,

ADAM SLEEPER,  
Acting United States Attorney

Dated: July 18, 2025

By: /s/ Michael J. Conley  
Michael J. Conley  
Criminal Chief  
Assistant United States Attorney  
U.S. Attorney's Office  
District of the Virgin Islands  
Ron de Lugo Federal Building  
5500 Veterans Drive  
St. Thomas, VI 00802  
Telephone: 340-774-5757  
Michael.Conley@usdoj.gov