

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 24-cr-20463-ALTMAN/LETT

UNITED STATES OF AMERICA

vs.

GUSTAVO ALFONSO CASTANO RESTREPO,

Defendant.

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NOTICE OF INTENT TO SEEK THE DEATH PENALTY

The United States, pursuant to 18 U.S.C. § 3593(a), hereby notifies the Court and the defendant, GUSTAVO ALFONSO CASTANO RESTREPO, that the United States believes the circumstances of Count 1 of the Superseding Indictment (DE 44) are such that, in the event of a conviction, a sentence of death is justified pursuant to 18 U.S.C. §§ 3591-3598, and the United States will seek the sentence of death for the offense of kidnapping resulting in death, in violation of 18 U.S.C. § 1201(a)(1).

The United States proposes to prove the following facts as justifying a sentence of death regarding Count 1 of the Superseding Indictment:

A. The defendant, GUSTAVO ALFONSO CASTANO RESTREPO, was 18 years of age or older at the time of the offense (18 U.S.C. § 3591(a)).

B. Statutory Threshold Facts Enumerated Under 18 U.S.C. § 3591(a)(2)(A)-(D)

- 1. Intentional Killing.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally killed Liliana Moreno (18 U.S.C. § 3591(a)(2)(A)).
- 2. Intentional Killing.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally killed Daniella Moreno (18 U.S.C. § 3591(a)(2)(A)).
- 3. Intentional Infliction of Serious Bodily Injury.** GUSTAVO ALFONSO CASTANO

RESTREPO intentionally inflicted serious bodily injury that resulted in the death of Liliana Moreno (18 U.S.C. § 3591(a)(2)(B)).

4. **Intentional Infliction of Serious Bodily Injury.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally inflicted serious bodily injury that resulted in the death of Daniella Moreno (18 U.S.C. § 3591(a)(2)(B)).
5. **Intentional Participation in an Act Resulting in Death.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Liliana Moreno died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C)).
6. **Intentional Participation in an Act Resulting in Death.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Daniella Moreno died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C)).
7. **Intentional Engagement in an Act of Violence, Knowing that the Act Created a Grave Risk of Death to a Person.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Liliana Moreno died as a direct result of the act (18 U.S.C. § 3591(a)(2)(D)).
8. **Intentional Engagement in an Act of Violence, Knowing that the Act Created a Grave Risk of Death to a Person.** GUSTAVO ALFONSO CASTANO RESTREPO

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

C. Statutory Aggravating Factors Enumerated Under 18 U.S.C. § 3592(c)

1. **Death During the Commission of a Another Crime.** The death and injury resulting in the death of Liliana Moreno occurred during the commission and attempted commission of, and during the immediate flight from the commission of an offense under 18 U.S.C. § 1201(a)(1) (kidnapping) (18 U.S.C. § 3592(c)(1)).
2. **Death During the Commission of Another Crime.** The death and injury resulting in the death of Daniella Moreno occurred during the commission and attempted commission of, and during the immediate flight from the commission of an offense under 18 U.S.C. § 1201(a)(1) (kidnapping) (18 U.S.C. § 3592(c)(1)).
3. **Expectation of Receipt of Anything of Pecuniary Value.** GUSTAVO ALFONSO CASTANO RESTREPO committed the offense as consideration for the receipt, and in the expectation of the receipt, of anything of pecuniary value (18 U.S.C. § 3592(c)(8)).
4. **Substantial Planning and Premeditation.** GUSTAVO ALFONSO CASTANO RESTREPO committed the offense after substantial planning and premeditation to cause the death of a person (18 U.S.C. § 3592(c)(9)).
5. **Multiple Killings.** GUSTAVO ALFONSO CASTANO RESTREPO intentionally killed more than one person in a single criminal episode (18 U.S.C. § 3592(c)(16)).
6. **Vulnerable Victim.** The victim, Daniella Moreno, was particularly vulnerable due to youth (18 U.S.C. § 3592(c)(11)).

D. Non-Statutory Aggravating Factors Authorized by 18 U.S.C. § 3593(a)(2)

1. **Victim Impact.** GUSTAVO ALFONSO CASTANO RESTREPO caused injury, harm, and loss to the family and friends of Liliana Moreno. The injury, harm, and loss caused by GUSTAVO ALFONSO CASTANO RESTREPO with respect to the victim is evidenced by the victim's personal characteristics and by the impact of the victim's death upon her family and friends.
2. **Victim Impact.** GUSTAVO ALFONSO CASTANO RESTREPO caused injury, harm, and loss to the family and friends of Daniella Moreno. The injury, harm, and loss caused by GUSTAVO ALFONSO CASTANO RESTREPO with respect to the victim is evidenced by the victim's personal characteristics and by the impact of the victim's death upon her family and friends.
3. **Lack of Remorse.** GUSTAVO ALFONSO CASTANO RESTREPO has demonstrated a lack of remorse for the offense charged in the Superseding Indictment, as evidenced by his statements and actions during the course of and following the commission of the offense.
4. **Avoidance of a Financial Obligation.** GUSTAVO ALFONSO CASTANO RESTREPO killed Liliana Moreno and Daniella Moreno, at least in part, to avoid his obligation to pay child support for the benefit of Daniella Moreno, his daughter.
5. **Betrayal of Trust.** GUSTAVO ALFONSO CASTANO RESTREPO killed innocent and unsuspecting, and therefore defenseless, victims by taking advantage of his intimate and familial relationships with Liliana Moreno and Daniella Moreno to facilitate their kidnapping and killing in that they were less likely to resist given the relationships.

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

By: **Dwayne Williams**
DWAYNE EDWARD WILLIAMS
Assistant United States Attorney
Florida Bar No. 0125199
99 Northeast 4th Street
Miami, Florida 33132-2111
Tel: (305) 961-9163
Fax: (305) 530-6168
Dwayne.Williams@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 11, 2025, I electronically filed the foregoing Notice of Intent to Seek the Death Penalty, with the Clerk of the Court using CM/ECF.

Dwayne Williams
Dwayne E. Williams
Assistant United States Attorney