TODD BLANCHE
Deputy Attorney General
BILAL A. ESSAYLI
First Assistant United States Attorney
ALEXANDER SCHWAB
Assistant United States Attorney
Acting Chief, Criminal Division
GREGORY S. SCALLY (Cal. Bar No. 268073)
Assistant United States Attorney
Deputy Chief, Orange County Office
Ronald Reagan Federal Bldg & U.S. Courthouse
411 West 4th Street, Suite 8000
Santa Ana, California 92701
Telephone: (714) 338-3592
Facsimile: (714) 338-3708
E-Mail: gregory.scally@usdoj.gov

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division
950 Pennsylvania Ave, NW
Washington, D.C. 20530
Telephone: (202) 514-3204
E-Mail: harmeet.dhillon@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. DAVID WEN-WEI CHOU, Defendant.	Case No. 8:23-CR-00062-JWH NOTICE OF INTENT TO SEEK THE DEATH PENALTY

Plaintiff United States of America, by and through its counsel of record, the Deputy Attorney General and First Assistant United States Attorney for the Central District of California and Assistant United States Attorney Gregory S. Scally, and the Assistant Attorney

General for the Civil Rights Division, hereby files its Notice of Intent to Seek the Death Penalty.

DATED: January 28, 2026

Respectfully submitted,

TODD BLANCHE
Deputy Attorney General

BILAL A. ESSAYLI
First Assistant United States Attorney

ALEXANDER SCHWAB
Assistant United States Attorney
Acting Chief, Criminal Division

HARMEET K. DHILLON
Assistant Attorney General
Civil Rights Division

/s/
GREGORY S. SCALLY
Assistant United States Attorney
Deputy Chief, Orange County Office

Attorneys for Plaintiff
UNITED STATES OF AMERICA

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

The United States of America, by and through its counsel of record and pursuant to 18 U.S.C. § 3593(a), hereby notifies the Court and defendant DAVID WEN-WEI CHOU that the United States believes the circumstances of the offenses charged in Counts Forty-Six and Ninety One are such that, in the event of a conviction, a sentence of death is justified under Chapter 228 (Sections 3591 through 3598) of Title 18 of the United States Code, and that the United States will seek the sentence of death for these offenses: Obstruction of Persons in the Free Exercise of Religious Beliefs Resulting in Death, in violation of 18 U.S.C. §§ 247(a)(2), (d)(1) (Count Forty-Six), and Possess, Use, Carry, and Discharge a Firearm in Furtherance of and During and in Relation to a Crime of Violence, Resulting in Death, in violation of 18 U.S.C. §§ 924(c)(1)(A), (j)(1) (Count Ninety-One), both of which carry a possible sentence of death.

The United States proposes to prove the following factors as justifying a sentence of death with regard to Counts Forty-Six and Ninety-One:

DAVID WEN-WEI CHOU was 18 years of age or older at the time of the offense.

I. STATUTORY THRESHOLD FACTORS ENUMERATED UNDER 18 U.S.C. §§ 3591(a)(2)(A)-(D)

DAVID WEN-WEI CHOU intentionally killed J.C. 18 U.S.C. § 3591(a)(2)(A).

DAVID WEN-WEI CHOU intentionally inflicted serious bodily injury that resulted in the death of J.C. 18 U.S.C. § 3591(a)(2)(B).

DAVID WEN-WEI CHOU 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 offenses, and J.C. died as a result of the act. 18 U.S.C. § 3591(a)(2)(C).

DAVID WEN-WEI CHOU 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 offenses, such that participation in the act constituted a reckless disregard for human life and J.C. died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(D).

II. STATUTORY AGGRAVATING FACTORS ENUMERATED UNDER 18 U.S.C. § 3592(c)

The death, and injury resulting in death, of J.C. occurred during the commission and attempted commission of an offense under Title 18, United States Code, Section 844(i) (Destruction of Property Affecting Interstate Commerce By Explosives). 18 U.S.C. § 3592(c)(1).

DAVID WEN-WEI CHOU, in the commission of the offenses, knowingly created a grave risk of death to one or more persons in addition to the victim of the offenses. 18 U.S.C. § 3592(c)(5).

DAVID WEN-WEI CHOU committed the offenses after substantial planning and premeditation to cause the death of a person. 18 U.S.C. § 3592(c)(9).

DAVID WEN-WEI CHOU intentionally attempted to kill more than one person in a single criminal episode. 18 U.S.C. § 3592(c)(16).

III. NON-STATUTORY AGGRAVATING FACTORS IDENTIFIED UNDER 18 U.S.C. § 3593(a)(2)

DAVID WEN-WEI CHOU caused injury, harm, and loss to the family and friends of J.C. The injury, harm, and loss caused by DAVID WEN-

WEI CHOU with respect to J.C. is evidenced by the victim's personal characteristics and by the impact of the victim's death upon his family and friends.

DAVID WEN-WEI CHOU caused serious physical and emotional injury to individuals who survived the offenses, including those victims identified in Counts Two through Forty-Five of the Indictment.

DAVID WEN-WEI CHOU's actions were motivated by national origin bias, contempt, and hatred.

DAVID WEN-WEI CHOU's actions were motivated by religious bias, contempt, and hatred.

DAVID WEN-WEI CHOU's actions were motivated by a desire to inspire and encourage others to commit violent acts.