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F.#2015R02002

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

NOTICE OF INTENT TO SEEK THE DEATH
PENALTY

- against -

FAWAZ OULD AHMED OULD AHHEMEID,
also known as “Ibrahim Idress” and
“Ibrahim Dix,”

No. 20-CR-502 (S-1) (BMC)

Defendant.

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NOTICE OF INTENT TO SEEK THE DEATH PENALTY

The United States of America, through undersigned counsel and pursuant to 18 U.S.C. § 3593(a), notifies the Court and the defendant FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” that the United States believes the circumstances in Count One of the Superseding Indictment are such that, in the event the defendant is convicted of Count One relating to the death of victim Anita Ashok Datar, a sentence of death is authorized under 18 U.S.C. §§ 3591-98, and the United States will seek the death penalty for the following offense: the Murder of Anita Ashok Datar, 18 U.S.C. § 3223(a)(1).

The United States proposes to prove the following factors as justifying a sentence of death with regard to Count One (unless otherwise specified):

- (A) FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” was 18 years of age or older at the time of the offense. 18 U.S.C. § 3591(a).
- (B) Statutory Threshold Factors Enumerated Under 18 U.S.C. §§ 3591(a)(2)(A)-(C):
 - 1. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” intentionally killed Anita Ashok Datar. 18 U.S.C. § 3591(a)(2)(A).

2. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” intentionally inflicted serious bodily injury that resulted in the death of Anita Ashok Datar. 18 U.S.C. § 3591(a)(2)(B).

3. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” 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 Anita Ashok Datar died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

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

1. The death, or injury resulting in death, of Anita Ashok Datar occurred during the commission or attempted commission of, or during the immediate flight from the commission of, an offense under Title 18, United States Code, Section 2332 (terrorist acts abroad against United States nationals). 18 U.S.C. § 3592(c)(1).

2. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” in the commission 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).

3. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” committed the offense after substantial planning and premeditation to cause the death of a person or commit an act of terrorism. 18 U.S.C. § 3592(c)(9).

4. FAWAZ OULD AHMED OULD AHHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” intentionally killed or attempted to kill more than one person in a single criminal episode. 18 U.S.C. § 3592(c)(16).

(D) Non-Statutory Aggravating Factors Authorized by 18 U.S.C. §§ 3592(c) and 3593(a)(2):

1. FAWAZ OULD AHMED OULD AHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” caused injury, harm, and loss to the family and friends of Anita Ashok Datar. The injury, harm, and loss caused by AHEMEID with respect to Anita Ashok Datar is evidenced by the victim’s personal characteristics and by the impact of the victim’s death upon her family and friends.

2. FAWAZ OULD AHMED OULD AHEMEID, also known as “Ibrahim Idress” and “Ibrahim Dix,” caused serious physical and emotional injury to individuals who survived the attack.

3. FAWAZ OULD AHMED OULD AHEMEID’s, also known as “Ibrahim Idress” and “Ibrahim Dix,” actions were motivated by national bias, contempt, and hatred.

4. FAWAZ OULD AHMED OULD AHEMEID’s, also known as “Ibrahim Idress” and “Ibrahim Dix,” actions were motivated by a desire to inspire and encourage others to commit violent acts.

