

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

UNITED STATES OF AMERICA	)	
	)	
v.	)	Case No. 4:23-cr-0021-RDP-SGC
	)	
MARCUS SPANEVELO	)	

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 defendant Marcus Spanevelo that the United States believes the circumstances in Count One of the Superseding Indictment (Doc. 77) are such that, in the event of a conviction, a sentence of death is justified under 18 U.S.C. §§ 3591-3598, and that 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).

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

- (A) Marcus Spanevelo was 18 years of age or older at the time of the offense.
- (B) Statutory Threshold Factors Enumerated Under 18 U.S.C. § 3591(a)(2)(A)-(D):
 - 1. **Intentional Killing.** Marcus Spanevelo intentionally killed Individual 1. 18 U.S.C. § 3591(a)(2)(A).
 - 2. **Intentional Infliction of Serious Bodily Injury.** Marcus Spanevelo

intentionally inflicted serious bodily injury that resulted in the death of Individual 1. 18 U.S.C. § 3591(a)(2)(B).

3. **Intentional Participation in an Act Resulting in Death.** Marcus Spanevelo 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 Individual 1 died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).
4. **Intentional Engagement in an Act of Violence, Knowing that the Act Created a Grave Risk of Death to a Person.** Marcus Spanevelo 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 the participation in the act constituted a reckless disregard for human life, and Individual 1 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 Another Crime.** The death, or injury resulting in death, of Individual 1 occurred during the commission or attempted commission of, or during the immediate flight from the commission of the offense of kidnapping, an offense under 18 U.S.C. § 1201(a)(1). 18 U.S.C. § 3592(c)(1).
2. **Substantial Planning and Premeditation.** Marcus Spanevelo committed the offense after substantial planning and premeditation to cause the death of a person. 18 U.S.C. § 3592(c)(9).

(D) Non-Statutory Aggravating Factors Identified Under 18 U.S.C. § 3593(a)(2):

1. **Victim Impact.** Marcus Spanevelo caused injury, harm, and loss to Individual 1, as well as to the family and friends of Individual 1. The injury, harm, and loss caused by Marcus Spanevelo is evidenced by the victim's personal characteristics and by the impact of the victim's death upon the victim's family and friends.
2. **Lack of Remorse.** Marcus Spanevelo 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.

3. **Avoidance of a financial obligation.** Marcus Spanevelo killed Individual 1, at least in part, to avoid his obligation to pay child support for the benefit of the child he shared with Individual 1.

PRIM F. ESCALONA
United States Attorney

/s Lloyd Peebles
LLOYD PEEPLES
ALAN BATY
DAN MCBRAYER
BRITTNEY PLYLER
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of October 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record in this case.

/s/ Lloyd C. Peeples

LLOYD C. PEEPLES

Assistant United States Attorney