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 10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT

12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,  
 14 Plaintiff,  
 15 v.  
 16 ROBERTO CARLOS AGUILAR,  
 17 Defendant.

No. CR 25-413(A)-AB-1

NOTICE OF INTENT TO SEEK THE DEATH  
 PENALTY

18  
 19 Plaintiff United States of America, by and through its counsel  
 20 of record, the First Assistant United States Attorney for the Central  
 21 District of California, pursuant to 18 U.S.C. § 3593(a), hereby  
 22 notifies the Court and defendant ROBERTO CARLOS AGUILAR that, the  
 23 United States believes the circumstances in Counts One, Two, and  
 24 Three of the Indictment are such that, in event of conviction, a  
 25 sentence of death is justified under 18 U.S.C. §§ 3591-3598, and that  
 26 the United States will seek the sentence of death for these offenses,  
 27 each of which carries a possible sentence of death:  
 28

1 The United States proposes to prove the following factors as  
2 justifying a sentence of death with regard to Counts One, Two and  
3 Three as specified below:

4 A. Defendant's Age at Time of Offense

5 ROBERTO CARLOS AGUILAR was 18 years of age or older at the time  
6 of the offense.

7 B. Statutory Threshold Factors, Pursuant to 18 U.S.C.  
8 § 3591(a)(2)(A) - (D)

9 1. Intentional Participation in an Act, Contemplating  
10 that the Life of Person Would be Taken

11 ROBERTO CARLOS AGUILAR intentionally participated in an act,  
12 contemplating that the life of a person would be taken or intending  
13 that lethal force would be used in connection with a person, other  
14 than one of the participants in the offense, and victim H.B. died as  
15 a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

16 C. Statutory Aggravating Factors, Pursuant to 18 U.S.C.  
17 § 3592(c)

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

21 1. Grave Risk of Death to Additional Persons

22 ROBERTO CARLOS AGUILAR, in the commission of the offense,  
23 knowingly created a grave risk of death to at least one or more  
24 persons in addition to victim H.B. 18 U.S.C. § 3592(c)(5).

25 2. Substantial Planning and Premeditation

26 ROBERTO CARLOS AGUILAR committed the offense after substantial  
27 planning and premeditation to cause the death of a person. 18 U.S.C.  
28 § 3592(c)(9).

1 D. Non-Statutory Factors, Pursuant to 18 U.S.C. § 3593(a)

2 Pursuant to Title 18, United States Code, Section 3593(a), the  
3 government will prove the following other aggravating factors in  
4 justifying a sentence of death:

5 1. Obstruction of Justice

6 ROBERTO CARLOS AGUILAR murdered victim H.B. to retaliate for and  
7 prevent victim H.B.'s cooperation with the federal government in an  
8 active criminal prosecution.

9 2. Victim Impact

10 ROBERTO CARLOS AGUILAR caused injury, harm and loss to victim  
11 H.B., as well as to the family and friends of victim H.B. The injury,  
12 harm, and loss caused by ROBERTO CARLOS AGUILAR is evidenced by the  
13 victim H.B.'s personal characteristics and by the impact of the  
14 victim H.B.'s death upon his family and friends.

15 3. Participation in Unadjudicated Criminal Offenses

16 In addition to the offenses charged in the First Superseding  
17 Indictment, defendant ROBERTO CARLOS AGUILAR participated in an  
18 unadjudicated criminal offense, to wit, beginning on a date unknown  
19 but no later than November 26, 2024, and continuing until on or about  
20 May 8, 2025, defendant AGUILAR conspired with DENNIS ANAYA URIAS and  
21 GREVIL ZELAYA SANTIAGO, and others known and unknown, to commit Grand  
22 Theft, in violation of California Penal Code Section 487.

23 4. Future Dangerousness of Defendant

24 a. *Lack of Remorse*

25 Defendant ROBERTO CARLOS AGUILAR has demonstrated a lack of  
26 remorse for the capital offenses committed in this case, as indicated  
27 by defendant's statements and actions following the offenses charged  
28 in the First Superseding Indictment.

