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9 Attorneys for Plaintiff
 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 GREVIL ZELAYA SANTIAGO,

17 Defendant.

No. CR 25-413(A)-AB-2

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 GREVIL ZELAYA SANTIAGO 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 GREVIL ZELAYA SANTIAGO 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 Killing

10 GREVIL ZELAYA SANTIAGO intentionally killed victim H.B. 18
11 U.S.C. § 3591(a)(2)(A).

12 2. Intentional Infliction of Serious Bodily Injury

13 GREVIL ZELAYA SANTIAGO intentionally inflicted serious bodily
14 injury that resulted in the death of victim H.B. 18 U.S.C.
15 § 3591(a)(2)(B).

16 3. Intentional Participation in an Act, Contemplating
17 that the Life of Person Would be Taken

18 GREVIL ZELAYA SANTIAGO intentionally participated in an act,
19 contemplating that the life of a person would be taken or intending
20 that lethal force would be used in connection with a person, other
21 than one of the participants in the offense, and victim H.B. died as
22 a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

23 4. Intentional Engagement in Act of Violence, Knowing the
24 Act Created a Grave Risk of Death to a Person

25 GREVIL ZELAYA SANTIAGO intentionally and specifically engaged in
26 an act of violence, knowing that the act created a grave risk of
27 death to a person, other than one of the participants in the offense,
28 such that participation in the act constituted a reckless disregard

1 for human life and victim H.B. died as a direct result of the act.
2 18 U.S.C. § 3591(a) (2) (D).

3 C. Statutory Aggravating Factors, Pursuant to 18 U.S.C.
4 § 3592(c)

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

8 1. Grave Risk of Death to Additional Persons

9 GREVIL ZELAYA SANTIAGO, in the commission of the offense,
10 knowingly created a grave risk of death to at least one or more
11 persons in addition to victim H.B. 18 U.S.C. § 3592(c) (5).

12 2. Substantial Planning and Premeditation

13 GREVIL ZELAYA SANTIAGO committed the offense after substantial
14 planning and premeditation to cause the death of a person. 18 U.S.C.
15 § 3592(c) (9).

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

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

20 1. Obstruction of Justice

21 GREVIL ZELAYA SANTIAGO murdered victim H.B. to retaliate for and
22 prevent victim H.B.'s cooperation with the federal government in an
23 active criminal prosecution.

24 2. Victim Impact

25 GREVIL ZELAYA SANTIAGO caused injury, harm and loss to victim
26 H.B., as well as to the family and friends of victim H.B. The
27 injury, harm, and loss caused by GREVIL ZELAYA SANTIAGO is evidenced
28

1 by the victim H.B.'s personal characteristics and by the impact of
2 the victim H.B.'s death upon his family and friends.

3 3. Participation in Unadjudicated Criminal Offenses

4 In addition to the offenses charged in the First Superseding
5 Indictment, defendant GREVIL ZELAYA SANTIAGO participated in
6 unadjudicated criminal offenses, to wit: 1) beginning on a date
7 unknown but no later than November 26, 2024, and continuing until on
8 or about May 8, 2025, defendant SANTIAGO conspired with ROBERTO
9 CARLOS AGUILAR and DENNIS ANAYA URIAS, and others known and unknown,
10 to commit Grand Theft, in violation of California Penal Code Section
11 487; and 2) on or about April 7, 2025, defendant SANTIAGO and DENNIS
12 ANAYA URIAS, each aiding and abetting the other, attempted to murder
13 victim E.D. in violation of California Penal Code Sections 31,
14 187(a), 188(a)(1), 189(a), and 664(a).

15 4. Future Dangerousness of Defendant

16 a. *Lack of Remorse*

17 Defendant GREVIL ZELAYA SANTIAGO has demonstrated a lack of
18 remorse for the capital offenses committed in this case, as indicated
19 by defendant's statements and actions following the offenses charged
20 in the First Superseding Indictment.

21 b. *Low Rehabilitative Potential*

22 Defendant GREVIL ZELAYA SANTIAGO has demonstrated a low
23 potential for rehabilitation as evidenced by his longstanding
24 involvement in criminal activities, including drug trafficking, grand
25 theft, and acts of violence.

