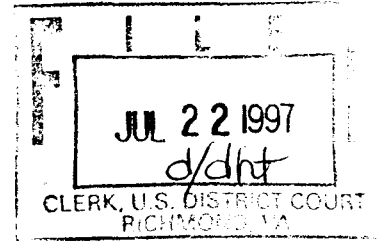


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION



UNITED STATES OF AMERICA)

v.)

Criminal No. 3:96-CR-66 (1)

DEAN ANTHONY BECKFORD)

a/k/a "Smiles")

a/k/a "Smiley")

a/k/a "Daniel Davis")

a/k/a "Milo")

Defendant.)

FINAL AMENDED NOTICE OF INTENT TO SEEK A SENTENCE OF DEATH

COMES NOW the United States of America, pursuant to Title 21, United States Code, Sections 848(e)(1)(A) and 848(h)(1)(A) & (B), by and through its undersigned counsel, Helen F. Fahey, United States Attorney, and Andrew G. McBride and David J. Novak, Assistant United States Attorneys, and files a Final Amended Notice of Intent to Seek a Sentence of Death. The United States notifies the Court and the defendant DEAN ANTHONY BECKFORD and his counsel, that in the event of the defendant's conviction of any of Counts Five or Six, of the pending Superseding Indictment, wherein the defendant is charged with intentionally killing Dasmond Miller and Sherman Ambrose and aiding and abetting said intentional killings, while engaging in and working in furtherance of a continuing criminal enterprise and while engaging in an offense punishable under Title 21, United States Code, Section 841(b)(1)(A), the Government will seek the sentence of death.

I. AGGRAVATING FACTORS AS TO COUNT FIVE

The Government will seek to prove the following aggravating factors as the basis for imposition of the death penalty against DEAN ANTHONY BECKFORD in relation to Count Five of the Superseding Indictment for the intentional killing of Dasmond Miller:

A. Statutory Aggravating Factors Enumerated under 21 U.S.C. § 848(n) (1) (A) through (D):

1. The defendant intentionally killed Dasmond Miller. Section 848(n) (1) (A).
2. The defendant intentionally inflicted serious bodily injury which resulted in the death of Dasmond Miller. Section 848(n) (1) (B).
3. The defendant intentionally engaged in conduct intending that the victim, Dasmond Miller be killed and that lethal force be employed against the victim, which resulted in the death of Dasmond Miller. Section 848(n) (1) (C).
4. The defendant intentionally engaged in conduct which the defendant knew would create a grave risk of death to a person, other than one of the participants in the offense, and that conduct resulted in the death of Dasmond Miller. Section 848(n) (1) (D).

B. Statutory Aggravating Factors Enumerated under 21 U.S.C. § 848(n) (2) through (12):

1. The defendant DEAN ANTHONY BECKFORD committed the offense described in Count Five of the Superseding Indictment in the expectation of the receipt of something of pecuniary value,

to wit: control over the location and contents of 1514 Tifton Court and the profits from the sale of cocaine base, commonly known as "crack" cocaine, associated with that location. Section 848(n)(7).

2. The defendant DEAN ANTHONY BECKFORD committed the offense described in Count Five of the Superseding Indictment after substantial planning and premeditation. Section 848(n)(8).

C. Other, Non-Statutory, Aggravating Factors Identified under 21 U.S.C. § 848 (h)(1)(B) and § 848(k):

1. The defendant DEAN ANTHONY BECKFORD's future dangerousness that is, the probability that the defendant would commit criminal acts of violence constituting a continuing threat to society, as evidenced by some or all of the following:

a. On or about October 9, 1989, in Richmond, Virginia, and elsewhere, the defendant DEAN ANTHONY BECKFORD attempted to murder a sixteen-year-old drug runner, Tracy Lavache, by shooting him twice and dumping him in a remote area outside Williamsburg, Virginia.

b. Throughout the Fall of 1989, in Richmond, Virginia, the defendant DEAN ANTHONY BECKFORD jointly possessed with the defendant CLAUDE GERALD DENNIS a Glock 9mm semi-automatic pistol with two 17-round magazines and a 9mm Baretta semi-automatic pistol with a 16-round magazine, which firearms the defendants BECKFORD and DENNIS used on an "as needed" basis to protect and further their drug trafficking enterprise.

c. On or about May 22, 1990, the defendant DEAN ANTHONY BECKFORD failed to appear as required by his bond to answer

charges of Possession of Cocaine With Intent to Distribute and Possession of Cocaine Simultaneously With Possession of a Firearm in Docket Nos. F-90-533 and F-90-534 in the Circuit Court for the City of Richmond and a warrant was issued for his arrest.

d. From on or about October 22, 1990, to and including early January, 1991, at Malta Street in Queens, New York, and elsewhere, the defendant DEAN ANTHONY BECKFORD relieved, comforted and assisted Andrew Christopher O'Brien in order to hinder and prevent his apprehension, trial and punishment for the murder of Wesley E. Stewart in Virginia Beach, Virginia on October 22, 1990.

e. From October 11, 1989 in Richmond, Virginia, up to and including his arrest November 26, 1996, in Nassau County, New York, the defendant DEAN ANTHONY BECKFORD has used numerous false names and obtained numerous false identification documents in order to avoid arrest by law enforcement authorities, including the false names "Daniel Davis," "Winston Patterson," "Julian Brown," "Desmond Arnold McNeil," and "Maurice Hacker."

f. From in or about the middle of 1988 and continuing up to and including November 26, 1996, in Brooklyn, New York, Richmond, Virginia, Virginia Beach, Virginia, Raleigh, North Carolina, and elsewhere on the East Coast of the United States, the defendant DEAN ANTHONY BECKFORD was the leader and organizer of a large-scale drug trafficking operation, planned and organized the affairs of this illegal enterprise, recruited its members, received the largest share of its profits, and exercised

final decision making authority over the actions of its members.

g. The defendant DEAN ANTHONY BECKFORD knowingly and intentionally recruited juveniles as "street runners" to distribute bags of cocaine and cocaine base on his behalf, including Tracy Lavache, Carlos Lugo, James Phillips and Heston Benjamin.

h. From in or about January of 1989 up to and including June of 1996, the defendant DEAN ANTHONY BECKFORD caused numerous hidden compartments to be built into the floors and walls of buildings and in the dash areas of vehicles to store and transport firearms, narcotics, and cash in a manner difficult for law enforcement to detect.

2. The nature and circumstances of the offense charged in Count Five of the Superseding Indictment, including, but not limited to, the following:

a. The defendant DEAN ANTHONY BECKFORD conceived of the plan to intentionally kill Dasmond Miller and Sherman Ambrose and recruited the defendant CLAUDE GERALD DENNIS to assist him in that plan.

b. The defendant DEAN ANTHONY BECKFORD intentionally killed and aided and abetted the intentional killing of more than one person in a single criminal episode, to wit: Dasmond Miller and Sherman Ambrose.

II. AGGRAVATING FACTORS AS TO COUNT SIX

The Government will seek to prove the following aggravating factors as the basis for imposition of the death penalty against DEAN ANTHONY BECKFORD in relation to Count Six of the Superseding Indictment for the intentional killing of Sherman Ambrose:

A. Statutory Aggravating Factors Enumerated under 21 U.S.C. § 848(n) (1) (A) through (D):

1. The defendant intentionally killed Sherman Ambrose.

Section 848(n) (1) (A).

2. The defendant intentionally inflicted serious bodily injury which resulted in the death of Sherman Ambrose. Section 848(n) (1) (B).

3. The defendant intentionally engaged in conduct intending that the victim, Sherman Ambrose be killed and that lethal force be employed against the victim, which resulted in the death of Sherman Ambrose. Section 848(n) (1) (C).

4. The defendant intentionally engaged in conduct which the defendant knew would create a grave risk of death to a person, other than one of the participants in the offense, and that conduct resulted in the death of Sherman Ambrose. Section 848(n) (1) (D).

B. Statutory Aggravating Factors Enumerated under 21 U.S.C. § 848(n) (2) through (12):

1. The defendant DEAN ANTHONY BECKFORD committed the offense described in Count Six of the Superseding Indictment in the expectation of the receipt of something of pecuniary value, to wit: control over the location and contents of 1514 Tifton

Court and the profits from the sale of cocaine base, commonly known as "crack" cocaine, associated with that location. Section 848(n)(7).

2. The defendant DEAN ANTHONY BECKFORD committed the offense described in Count Six of the Superseding Indictment after substantial planning and premeditation. Section 848(n)(8).

C. Other, Non-Statutory, Aggravating Factors Identified under 21 U.S.C. § 848 (h)(1)(B) and § 848(k):

1. The defendant DEAN ANTHONY BECKFORD's future dangerousness that is, the probability that the defendant would commit criminal acts of violence constituting a continuing threat to society, as evidenced by some or all of the following:

a. On or about October 9, 1989, in Richmond, Virginia, and elsewhere, the defendant DEAN ANTHONY BECKFORD attempted to murder a sixteen-year-old drug runner, Tracy Lavache, by shooting him twice and dumping him in a remote area outside Williamsburg, Virginia.

b. Throughout the Fall of 1989, in Richmond, Virginia, the defendant DEAN ANTHONY BECKFORD jointly possessed with the defendant CLAUDE GERALD DENNIS a Glock 9mm semi-automatic pistol with two 17-round magazines and a 9mm Baretta semi-automatic pistol with a 16-round magazine, which firearms the defendants BECKFORD and DENNIS used on an "as needed" basis to protect and further their drug trafficking enterprise.

c. On or about May 22, 1990, the defendant DEAN ANTHONY BECKFORD failed to appear as required by his bond to answer charges of Possession of Cocaine With Intent to Distribute and

Possession of Cocaine Simultaneously With Possession of a Firearm in Docket Nos. F-90-533 and F-90-534 in the Circuit Court for the City of Richmond and a warrant was issued for his arrest.

d. From on or about October 22, 1990, to and including early January, 1991, at Malta Street in Queens, New York, and elsewhere, the defendant DEAN ANTHONY BECKFORD relieved, comforted and assisted Andrew Christopher O'Brien in order to hinder and prevent his apprehension, trial and punishment for the murder of Wesley E. Stewart in Virginia Beach, Virginia on October 22, 1990.

e. From October 11, 1989 in Richmond, Virginia, up to and including his arrest November 26, 1996, in Nassau County, New York, the defendant DEAN ANTHONY BECKFORD has used numerous false names and obtained numerous false identification documents in order to avoid arrest by law enforcement authorities, including the false names "Daniel Davis," "Winston Patterson," "Julian Brown," "Desmond Arnold McNeil," and "Maurice Hacker."

f. From in or about the middle of 1988 and continuing up to and including November 26, 1996, in Brooklyn, New York, Richmond, Virginia, Virginia Beach, Virginia, Raleigh, North Carolina, and elsewhere on the East Coast of the United States, the defendant DEAN ANTHONY BECKFORD was the leader and organizer of a large-scale drug trafficking operation, planned and organized the affairs of this illegal enterprise, recruited its members, received the largest share of its profits, and exercised final decision making authority over the actions of its members.

g. The defendant DEAN ANTHONY BECKFORD knowingly and intentionally recruited juveniles as "street runners" to distribute bags of cocaine and cocaine base on his behalf, including Tracy Lavache, Carlos Lugo, James Phillips and Heston Benjamin.

h. From in or about January of 1989 up to and including June of 1996, the defendant DEAN ANTHONY BECKFORD caused numerous hidden compartments to be built into the floors and walls of buildings and in the dash areas of vehicles to store and transport firearms, narcotics, and cash in a manner difficult for law enforcement to detect.

2. The nature and circumstances of the offense charged in Count Five of the Superseding Indictment, including, but not limited to, the following:

a. The defendant DEAN ANTHONY BECKFORD conceived of the plan to intentionally kill Dasmond Miller and Sherman Ambrose and recruited the defendant CLAUDE GERALD DENNIS to assist him in that plan.

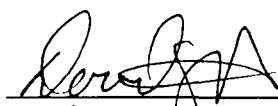
b. The defendant DEAN ANTHONY BECKFORD intentionally killed and aided and abetted the intentional killing of more than one person in a single criminal episode, to wit: Dasmond Miller and Sherman Ambrose.

Respectfully submitted,

HELEN F. FAHEY
UNITED STATES ATTORNEY

By:


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Certificate of Service

The undersigned hereby certifies that a copy of the Government's Final Amended Notice was hand-delivered in Court on July 22, 1997 to the following attorneys for the defendants:

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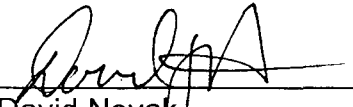
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