

DECLARATION OF KRISTINA LESLIE REGARDING  
THE APPEARANCE OF THREE OR MORE AND FOUR OR MORE ATTORNEYS  
IN CASES AUTHORIZED FOR A CAPITAL PROSECUTION

1. I am the Director of the Federal Capital Trial Project (FCTP).<sup>1</sup> I am also a capitally qualified trial counsel and learned counsel. I have been representing capital defendants at trial since 2015, and exclusively federal capital defendants since 2018. Since 2022, I have been a full-time staff attorney and resource counsel with the FCTP representing federal capital defendants and consulting with federal capital defense teams. In September 2025, I became Director of the FCTP.

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<sup>1</sup>Established in early 1992, the Federal Capital Trial Project provides consultation, training, and assistance to counsel and courts to improve the quality of representation and the cost-effectiveness of defense services in federal capital prosecution cases. The Trial Project is funded and administered by the Defender Services Office of the Administrative Office of the United States Courts.

The Trial Project assigns an attorney to work with the defense team in every federal capital eligible case as a “resource counsel.” In their role as resource counsel, the attorneys are not counsel of record; rather, they provide advice, assistance, and helpful information and resources to the defense team. In addition to their work as resource counsel, however, resource counsel often serve as death-qualified “learned” counsel in their own cases.

The work of the Trial Project is described in a report prepared by the Subcommittee on Federal Death Penalty Cases, Committee on Defender Services, Judicial Conference of the United States, *Federal Death Penalty Cases: Recommendations Concerning the Cost and Quality of Defense Representation* (May 1998), at 28 – 30, [http://www.uscourts.gov/sites/default/files/original\\_spencer\\_report.pdf](http://www.uscourts.gov/sites/default/files/original_spencer_report.pdf) [Perma.cc archive: <https://perma.cc/SU25-GWMV>]. The Subcommittee report “urges the judiciary and counsel to maximize the benefits of the Federal Death Penalty Resource Counsel Project . . . , which has become essential to the delivery of high quality, cost-effective representation in death penalty cases . . . .” *Id.* at 50.

An update to the Report states: “Many judges and defense counsel spoke with appreciation and admiration about the work of Resource Counsel. Judges emphasized their assistance in recruiting and recommending counsel for appointments and their availability to consult on matters relating to the defense, including case budgeting. Defense counsel found their knowledge, national perspective, and case-specific assistance invaluable.” Report to the Committee on Defender Services, Judicial Conference of the United States, *Update on the Cost and Quality of Defense Representation in Federal Death Penalty Cases* (September 2010) at 63.

<https://www.uscourts.gov/sites/default/files/fdpc2010.pdf> [Perma.cc archive: <https://perma.cc/LPH6-K8QB>].

2. In my role as Director of the FCTP, my responsibilities include reviewing all federal capital prosecutions throughout the United States and overseeing the collection of data on the initiation and prosecution of federal capital cases.<sup>2</sup>

3. Pursuant to my responsibilities, I have compiled the information in Exhibit A regarding cases authorized for capital prosecution since 2010.<sup>3</sup> This information includes the number of counsel appearing on the docket at the time each case was tried, de-authorized, pled, or otherwise was no longer at risk of a death sentence and the Federal Capital Trial Project stopped tracking the case. Of the 109 defendants authorized for a capital prosecution since 2010, three or more counsel were appointed to represent the defendant in 77 or 71% of these cases. Of the 77 defendants, four or more counsel were appointed to represent the defendant in 43 of the 77 cases.

I declare under penalty of perjury under the laws of the United States of America, 28 U.S.C. §1746, that the foregoing is true and correct. Executed May 8, 2026.

/s/ Kristina Leslie  
Kristina Leslie

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<sup>2</sup> In order to carry out the duties entrusted to me, I rely on the data gathered by Kevin McNally and Matthew Rubenstein who oversaw the collection of data on the initiation and prosecution of federal capital cases until I took over this responsibility when I became the director of the Project. This information is gathered from a variety of sources including PACER case dockets and case filings, transcripts, the Administrative Office of the United States Courts, Department of Justice press releases, Federal Defender offices and CJA counsel, and information gathered by and received from Federal Capital Trial Project Resource Counsel. This information is regularly updated and checked for accuracy. The Project's information regarding federal capital prosecutions has been relied upon by the Administrative Office of the United States Courts, by the Federal Judicial Center, and by various federal district courts.

<sup>3</sup> Cases from 2010 to the present were selected as the focus of this analysis because they best reflect modern capital defense practice following key developments in the law and professional standards. In particular, defense representation in capital cases evolved significantly in the wake of *Wiggins v. Smith*, 539 U.S. 510 (2003), *Rompilla v. Beard*, 545 U.S. 374 (2005), the American Bar Association's 2003 revisions to the *Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases*, 31 Hofstra L. Rev. 913 (2003), and the *Supplementary Guidelines for the Mitigation Function of Defense Teams in Death Penalty Cases*, 36 Hofstra L. Rev. 677 (2008), which collectively updated and expanded the norms of capital defense practice and clarified the essential elements of effective representation in capital cases.

Caption	DocketNo	Auth Date	Yr Indictment	CJA Appearances	FDO Appearances	Retained Appearances	Sum Attorney Appearances	Three or More Counsel	Four or More Counsel
United States v. Enrique Lopez	N.D. TX No. 3:09-CR-00320-M	7/28/2010	2010	2	0	0	2		
United States v. Joel J. Cacace	E.D. NY No. 1:08-CR-00240-NG	2/10/2011	2010	4	0	0	4		1
United States v. Richard Santiago	D. CO No. 1:10-CR-00164-LTB	2/28/2011	2010	1	0	0	1		
United States v. Gary Watland	D. CO No. 1:11-CR-00038-JLK	3/01/2011	2011	4	0	0	4		1
United States v. Kaboni Savage	E.D. PA No. 2:07-CR-00550-RBS	3/14/2011	2009	2	0	0	2		
United States v. Robert Merritt	E.D. PA No. 2:07-CR-00550-RBS	3/14/2011	2009	2	0	0	2		
United States v. Steven Northington	E.D. PA No. 2:07-CR-00550-RBS	3/14/2011	2009	4	0	0	4		1
United States v. Charles Michael Hall	W.D. MO No. 6:10-CR-03029-GAF	7/22/2011	2010	4	0	0	4		1
United States v. Wesley Paul Counce, Jr.	W.D. MO No. 6:10-CR-03029-GAF	7/22/2011	2010	3	0	0	3	1	
United States v. Samuel Stone	E.D. CA No. 1:12-CR-00072-AWI-DLB	11/22/2011	2012	1	2	0	3	1	
United States v. Lorie Ann Taylor-Keller	W.D. VA No. 5:10-CR-00015-GEC-JGW	12/29/2011	2010	2	1	0	3	1	
United States v. John Charles McCluskey	D. NM No. 1:10-CR-02734-JCH	1/26/2012	2010	4	0	0	4		1
United States v. Jorge Avila Torrez	E.D. VA No. 1:11-CR-00115-LO	2/09/2012	2011	3	0	0	3	1	
United States v. Abukar Osman Beyle	E.D. VA No. 2:11-CR-00034-RBS-DEM	4/17/2012	2011	2	0	0	2		
United States v. Ahmed Muse Salad	E.D. VA No. 2:11-CR-00034-RBS-DEM	4/17/2012	2011	1	2	0	3	1	
United States v. Shani Nurani Shiekh Abrar	E.D. VA No. 2:11-CR-00034-RBS-DEM	4/17/2012	2011	2	0	0	2		
United States v. Connell C. Williams	W.D. OK No. 5:11-CR-00298-F	4/17/2012	2011	3	0	0	3	1	
United States v. Jason Pleau	D. RI No. 1:10-CR-00184-DLM	6/18/2012	2010	2	0	0	2		
United States v. Alexis Candelario-Santana	D. PR No. 3:09-CR-00427-JAF	7/08/2012	2011	2	0	0	2		
United States v. Thomas Steven Sanders	W.D. LA No. 1:10-CR-00351-DDD-JDK	8/01/2012	2010	2	2	0	4		1
United States v. Wilmar Rene Duran-Gomez	S.D. TX No. 4:10-CR-00459	9/19/2012	2010	2	5	0	7		1
United States v. Ulysses Jones	W.D. MO No. 6:10-CR-03090-DGK	10/04/2012	2012	2	0	0	2		
United States v. Patrick Andrews	N.D. WV No. 1:12-CR-00100-IMK-JSK	10/23/2012	2012	2	0	0	2		
United States v. Xavier Jimenez-Bencevi	D. PR No. 3:12-CR-00221-JAF	12/07/2012	2012	2	0	0	2		
United States v. Juan Briseno	N.D. IN No. 2:11-CR-00077-PPS-APR	3/06/2013	2011	2	0	0	2		
United States v. Chastain Montgomery, Sr.	W.D. TN No. 2:11-CR-20044-JPM	3/08/2013	2011	4	0	0	4		1
United States v. John Travis Millner	E.D. KY No. 7:13-CR-00015-ART-REW	10/03/2013	2013	3	0	0	3	1	
United States v. Dzhokhar Tsarnaev	D. MA No. 1:13-CR-10200-GAO	1/30/2014	2013	3	2	0	5		1
United States v. Jessie Con-ui	M.D. PA No. 3:13-CR-00123-ARC	10/02/2014	2013	4	0	0	4		1
United States v. James Wayne Ham	S.D. TX No. 4:13-CR-00363	10/06/2014	2013	0	2	0	2		
United States v. Paul Anthony Ciancia	C.D. CA No. 2:13-CR-00902-PSG	12/29/2014	2013	2	3	0	5		1
United States v. Farad Roland	D. NJ No. 2:12-CR-00298-ES	1/05/2015	2012	5	0	0	5		1
United States v. James Watts	S.D. IL No. 4:14-CR-40063-JPG	4/21/2015	2014	1	2	0	3	1	
United States v. Noe Aranda-Soto	S.D. TX No. 6:10-CR-00095	11/19/2015	2014	2	0	0	2		
United States v. Christopher Emory Cramer	E.D. TX No. 1:16-CR-00026-MAC-ZJH	2/04/2016	2016	1	1	0	2		
United States v. Andrew Rogers	S.D. IN No. 2:16-CR-00018-WTL-CMM	2/12/2016	2016	2	2	0	4		1
United States v. Ricky Allen Fackrell	E.D. TX No. 1:16-CR-00026-MAC-ZJH	3/04/2016	2016	2	0	0	2		
United States v. Dylann Storm Roof	D. SC No. 2:15-CR-00472-RMG	5/24/2016	2015	2	2	0	4		1
United States v. Efrain Rodriguez-Mendoza	S.D. TX No. 4:10-CR-00459	2/08/2017	2010	2	3	0	5		1
United States v. Jarvis Wayne Madison	M.D. FL No. 6:17-CR-00015-RBD-KRS	12/19/2017	2017	1	5	0	6		1
United States v. Billy Darrell Arnold	E.D. MI No. 2:15-CR-20652-GCS-DRG	1/08/2018	2016	3	0	0	3	1	
United States v. Carlo Wilson	E.D. MI No. 2:16-CR-20460-MAG-RSW	3/01/2018	2016	2	1	0	3	1	
United States v. Edwin Mills	E.D. MI No. 2:16-CR-20460-MAG-RSW	3/01/2018	2016	3	0	0	3	1	
United States v. Juan R. Pedro-Vidal	D. PR No. 3:16-CR-00778-GAG	6/28/2018	2016	1	4	0	5		1
United States v. Victor Skates	N.D. CA No. 5:15-CR-00285-LHK	9/11/2018	2015	2	3	0	5		1
United States v. Anthony Jordan	E.D. MO No. 4:15-CR-00404-HEA-NAB	11/07/2018	2015	1	5	0	6		1
United States v. Brendt A. Christensen	C.D. IL No. 2:17-CR-20037-CSB-EIL	1/19/2018	2017	2	4	0	6		1
United States v. Kirby Cleveland	D. NM No. 1:17-CR-00965-MCA	1/26/2018	2017	2	0	0	2		
United States v. Michael Owle	N.D. WV No. 1:17-CR-00039-IMK-MJA	2/27/2018	2018	2	1	0	3	1	
United States v. Ruben Laurel	N.D. WV No. 1:17-CR-00039-IMK-MJA	2/27/2018	2018	1	1	0	2		
United States v. Brandon Michael Council	D. SC No. 4:17-CR-00866-CRI	3/21/2018	2017	1	3	0	4		1
United States v. John Pearl Smith, III	D. AK No. 3:16-CR-00086-SLG-DMS	6/19/2018	2017	3	1	0	4		1

United States v. Chukwudi Oforata	E.D. LA No. 2:17-CR-00201-LMA-DEK	8/31/2018	2017	3	0	0	3	1	
United States v. Curtis Johnson, Jr.	E.D. LA No. 2:17-CR-00201-LMA-DEK	8/31/2018	2017	3	0	0	3	1	
United States v. LilBear George	E.D. LA No. 2:17-CR-00201-LMA-DEK	8/31/2018	2017	1	2	0	3	1	
United States v. Sayfullo Habibullaevic Saipov	S.D. NY No. 1:17-CR-00722-VSB	9/28/2018	2017	2	5	0	7		1
United States v. Brandon Durrell Hardison	M.D. TN No. 3:17-CR-00124	10/26/2018	2017	3	0	0	3	1	
United States v. Nicholas Tartaglione	S.D. NY No. 7:16-CR-00832-KMK	3/14/2019	2016	7	0	5	12		1
United States v. William D. Wood, Jr.	N.D. NY No. 5:19-CR-00058-TJM-1	4/12/2019	2019	1	2	0	3	1	
United States v. Joshua Nesbitt	W.D. MO No. 4:18-CR-00036-BCW	7/18/2019	2018	2	2	0	4		1
United States v. Shawn Burkhalter	W.D. MO No. 4:18-CR-00036-BCW	7/18/2019	2018	2	0	0	2		
United States v. Steven Joshua Wiggins	M.D. TN No. 3:19-CR-00194	8/08/2019	2019	2	4	0	6		1
United States v. Robert Bowers	W.D. PA No. 2:18-CR-00292-DWA	8/26/2019	2018	2	4	0	6		1
United States v. Michael Manuel Rebolledo	N.D. CA No. 3:18-CR-00119-RS	9/18/2019	2018	4	0	0	4		1
United States v. Elmer Zelaya Martinez	E.D. VA No. 1:18-CR-00123-TSE	1/06/2020	2018	4	0	0	4		1
United States v. Daniel S. Nantz	E.D. KY No. 6:19-CR-00016-REW-HAI	4/27/2020	2019	2	1	0	3	1	
United States v. Ryan Phillip Schlesinger	D. AZ No. 4:18-CR-02719-RCC-BGM	6/30/2020	2018	1	4	0	5		1
United States v. Alexi Saenz	E.D. NY No. 2:16-CR-00403-JFB	7/15/2020	2017	1	2	0	3	1	
United States v. Samuel Silva	W.D. VA No. 2:20-CR-00017-JPJ-PMS	8/07/2020	2020	1	3	0	4		1
United States v. Jairo Saenz	E.D. NY No. 2:16-CR-00403-JFB	11/16/2020	2017	2	1	0	3	1	
United States v. Victor Everette Silvers	W.D. KY No. 5:18-CR-00050-TBR	1/20/2021	2018	0	3	0	3	1	
United States v. Payton Gendron	W.D. NY No. 1:22-CR-00109-LJV-HKS	1/12/2024	2022	2	5	0	7		1
United States v. Luigi Mangione	S.D. NY No. 1:25-CR-00176-MMG	4/01/2025	2025	3	0	3	6		1
United States v. Cory Spurlock	D. NV No. 3:23-CR-00022-ART-CLB	4/04/2025	2023	1	4	0	5		1
United States v. Jasper Reed	W.D. OK No. 5:25-CR-00156-SLP	4/08/2025	2025	0	5	0	5		1
United States v. Ishmael Petty	D. CO No. 1:25-CR-00123-DDD-1	4/09/2025	2025	2	0	0	2		
United States v. Edis Omar Valenzuela-Rodriguez	D. MD No. 1:22-CR-00409-SAG	5/16/2025	2022	1	0	0	1		
United States v. Jonathan Pesquera-Puerto	D. MD No. 1:22-CR-00409-SAG	5/16/2025	2022	1	0	0	1		
United States v. Wilson Arturo Constanza-Galdome	D. MD No. 1:22-CR-00409-SAG	5/16/2025	2022	2	0	0	2		
United States v. Richardson Dangleben, Jr.	D. VI No. 3:23-CR-00072-RAM-RM	5/21/2025	2023	1	1	0	2		
United States v. Dajahn McBean	S.D. NY No. 1:24-CR-00541-PAE	6/06/2025	2024	4	0	0	4		1
United States v. Labar Tsethlikai	D. NM No. 1:24-CR-00539-DHU-1	6/27/2025	2024	1	2	0	3	1	
United States v. Monroe Merrell	N.D. WV No. 3:20-CR-00046-GMG-RW	7/01/2025	2024	3	0	0	3	1	
United States v. Jason Javon Franklin	E.D. OK No. 6:24-CR-00167-RAW	7/09/2025	2024	0	5	0	5		1
United States v. Marielle Tramanie Smith	E.D. OK No. 6:24-CR-00167-RAW	7/09/2025	2024	2	2	0	4		1
United States v. Enock Cole	D. VI No. 1:23-CR-00016-WAL-EAH	7/18/2025	2024	2	2	0	4		1
United States v. Jiovani Smith	D. VI No. 1:23-CR-00016-WAL-EAH	7/18/2025	2024	2	0	0	2		
United States v. Rosniel Diaz Bautista	D. VI No. 1:24-CR-00020-WAL-EAH	7/31/2025	2024	1	2	0	3	1	
United States v. Martin Alfredo Leiva-Leiva	D. VI No. 1:23-CR-00016-WAL-EAH	8/07/2025	2024	2	1	0	3	1	
United States v. Gustavo Alfonso Castano Restrepo	S.D. FL No. 1:24-CR-20463-RKA-1	8/11/2025	2024	2	1	2	5		1
United States v. Teresa Youngblut	D. VT No. 2:25-CR-00015-CR	8/14/2025	2025	2	2	0	4		1
United States v. Marcus Spanevelo	N.D. AL No. 4:23-CR-00021-RDP-SGC	10/05/2025	2023	3	0	0	3	1	
United States v. Zachary Babitz	D. NM No. 1:24-CR-01284-DHU	10/22/2025	2024	3	0	0	3	1	
United States v. Kalif Cox	S.D. NY No. 7:25-CR-00091-VB	10/23/2025	2025	3	0	0	3	1	
United States v. Antwan Hue	E.D. VA No. 2:24-CR-00038-AWA-LRL	10/24/2025	2024	3	0	0	3	1	
United States v. Bryant Pirtle	E.D. MO No. 4:23-CR-00153-AGF-SPM	11/13/2025	2023	1	1	0	2		
United States v. Christopher Hall	E.D. MO No. 4:23-CR-00153-AGF-SPM	11/13/2025	2023	1	1	0	2		
United States v. Edwin Yadiel Flores-Tavarez	D. PR No. 3:24-CR-00133-CVR	11/14/2025	2024	2	0	0	2		
United States v. Theodore Bland	D. VT No. 2:24-CR-00099-WKS	11/18/2025	2025	4	0	0	4		1
United States v. Shane M. Meehan	S.D. IN No. 2:22-CR-00002-JPH-CMM	11/18/2025	2022	0	3	0	3	1	
United States v. Kendrick Seymore	E.D. NY No. 2:22-CR-00401-JMA-AYS	12/04/2025	2024	3	0	0	3	1	
United States v. David Wen-Wei Chou	C.D. CA No. 8:23-CR-00062-CJC	1/28/2026	2023	0	2	0	2		
United States v. Jaremy Alexander Smith	D. SC No. 4:26-CR-00057-CRI	2/28/2026	2026	1	2	0	3	1	
United States v. Kelvin Simmons	W.D. NC No. 1:25-cr-00071-MR-WCM	3/17/2026	2025	0	4	0	4		1
United States v. Fawaz Ould Ahmed Ould Ahemeid	E.D. NY No. 1:20-CR-00502-BMC	3/25/2026	2020	3	0	0	3	1	
United States v. Austin Gross	S.D. IN No. 1:25-CR-00170-TWP-MKK	4/21/2026	2025	0	0	2	2		
United States v. Dennis Anaya Urias	C.D. CA No. 2:25-CR-00413-CV	5/1/2026	2025	1	2	0	3	1	
United States v. Grevil Zelaya Santiago	C.D. CA No. 2:25-CR-00413-CV	5/1/2026	2025	1	1	0	2		
United States v. Roberto Carlos Aguilar	C.D. CA No. 2:25-CR-00413-CV	5/1/2026	2025	2	0	0	2		
				109 total					
				defendants				34	43
								31.2%	39.4%