

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**

UNITED STATES OF AMERICA,	)	INDICTMENT NO. CR 403-01
v.	)	
	)	18 U.S.C. § 1111, MURDER;
MEIER JASON BROWN,	)	18 U.S.C. § 1114, MURDER;
	)	18 U.S.C. § 2114, ROBBERY.
Defendant.	)	

**UNITED STATES' NOTICE OF INTENT TO SEEK DEATH PENALTY**

Comes now Richard S. Thompson, United States Attorney for the Southern District of Georgia, and files this Notice of Intent to Seek the Death Penalty pursuant to 18 U.S.C. § 3593(a). The government believes that the circumstances of the offenses charged in Counts One and Two of the Indictment are such that, in the event of a conviction, a sentence of death is justified under Title 18, United States Code, Chapter 228 (Sections 3591 through 3598) and the government hereby provides notice that it will seek the sentence of death for those offenses, related to the murder of Sallie Louise Gaglia, which carry a possible sentence of death under 18 U.S.C. §§ 1111 and 1114.

The government provides notice that the following factors exist with regard to Count One and Count Two and justify sentences of death:

A. Required Factors Enumerated Under 18 U.S.C. § 3591(a)(2)(A)-(D)

1. The defendant intentionally killed Sallie Louise Gaglia (18 U.S.C. § 3591(a)(2)(A)).
2. The defendant intentionally inflicted serious bodily injury that resulted in

the death of Sallie Louise Gaglia (18 U.S.C. § 3591(a)(2)(B)).

3. The defendant intentionally participated in one or more acts, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than a participant in the offense, and Sallie Louise Gaglia died as a direct result of such act or acts (18 U.S.C. § 3591(a)(2)(C)).
4. The defendant intentionally and specifically engaged in one or more acts of violence, knowing that the act or acts created a grave risk of death to a person, other than one of the participants in the offense, such that participation in such act or acts constituted a reckless disregard for human life, and Sallie Louise Gaglia died as a direct result of such act or acts (18 U.S.C. § 3591(a)(2)(D)).
5. The defendant was eighteen years of age or older at the time of the offenses (18 U.S.C. § 3591(a)).

B. Statutory Aggravating Factors Enumerated Under 18 U.S.C. § 3592(c)

1. The defendant committed the offenses in an especially heinous, cruel, and depraved manner in that they involved torture ~~and~~ serious physical abuse to the victim (18 U.S.C. § 3592(c)(6)).
2. The defendant committed the offenses in the expectation of the receipt of anything of pecuniary value (18 U.S.C. § 3592(c)(8)).

C. Non-Statutory Aggravating Factors

1. As demonstrated by the victim's personal characteristics as an individual

human being and the impact of her death upon her family, the defendant caused injury, harm, and loss to the victim and her family. (18 U.S.C. § 3593(a); *Payne v. Tennessee*, 501 U.S. 808 (1991)).

2. The manner of the defendant's commission of the offenses was intended to reduce the likelihood of detection of the defendant's involvement in the underlying federal robbery offense and in the assault on the victim, Sallie Louise Gaglia.
3. The victim, Sallie Louise Gaglia, was an employee of the United States and the United States Postal Service and was killed while she was engaged in the performance of her official duties.
4. The defendant has committed an array of other criminal acts, some but not all of which have resulted in convictions. (*Tuilaepa v. California*, 512 U.S. 967, 976-77 (1994); *United States v. Allen*, 247 F.3d 741, 789 (8<sup>th</sup> Cir. 2001), *judgment vacated and remanded for further consideration on other grounds*, 536 U.S. 953 (2002)).
5. Repeated prior efforts to rehabilitate and to deter the defendant from criminal conduct have failed. (*United States v. McCullah*, 76 F.3d 1087, 1107 (10<sup>th</sup> Cir. 1996)).

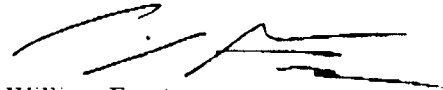
The Government further gives notice that in support of imposition of the death penalty it intends to rely upon all the evidence admitted by the Court at the guilt phase of the trial and the offenses of conviction as described in the Indictment as they relate to the background and character of the defendant, his moral culpability, and the nature and circumstances of the offenses

charged in the indictment.

Date: May 5, 2003.

Respectfully submitted,

RICHARD S. THOMPSON  
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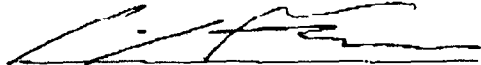
*In re: United States v. Meier Jason Brown, Case No. 403-01*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 5<sup>th</sup> day of May, 2003, I caused a copy of the foregoing United States' Notice of Intent to Seek the Death Penalty to be delivered to the attorney of record via United States mail to:

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**Phone:** (803) 765-1044 **Date:** May 8, 2003  
**Re:** United States v. Meier Jason Brown  
Indictment No. CR403-1 **CC:**

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Attached please find a copy of United States' Notice of Intent to Seek Death Penalty with regard to the above referenced cause of action.