

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 92-81127

-vs-

HONORABLE AVERN COHN

D-2 REGINALD BROWN,

Defendant.

NOTICE OF INTENT TO SEEK
THE DEATH PENALTY

Now comes the United States of America, by and through Alan M. Gershel, United States Attorney and F. William Soisson, and E. James King, Assistant United States Attorneys, and notifies the Court and the Defendant that the government, in the event of a conviction on Count 56 of the Indictment in this case which charges a violation of Title 21, United States Code, Section 848(e)(1)(A), the United States of America will seek the sentence of death.

The applicable aggravating factors enumerated in Title 21, United States Code, Section 848(n) are as follows:

THE INTENTIONAL KILLING OF ALFRED AUSTIN, LAWRENCE GAINY,
HARRY ROPER AND LAURIE ROPER

1. The defendant Reginald Brown intentionally killed the victim Alfred Austin. 21 U.S.C. § 848(n)(1)(A).

2. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

3. The defendant intentionally engaged in conduct which defendant knew would create a grave risk of death to more than one person, other than the participants in the offense and resulted in the death of three innocent victims, namely, Lawrence Gainey, Harry

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Roper and Laurie Roper. 21 U.S.C. § 848(n)(1)(D).

4. The innocent victim, Laurie Roper, was particularly vulnerable due to her youth, that of three years old. 21 U.S.C. § 848(n)(9).

OTHER FACTORS

5. The defendant has been convicted of a state offense resulting in the death of a person for which a sentence of life imprisonment was authorized by statute, namely, the second degree murder conviction on April 29, 1988, in Detroit Records Court, for the murder of Steve Rousell. 21 U.S.C. § 848(n)(2).

6. The defendant Reginald Brown intentionally killed the victim Kirt Levy. 21 U.S.C. § 848(n)(1)(A).

7. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

8. Deadly weapons were used by the defendant in the murders of Alfred Austin, Lawrence Gainey, Harry Roper, Laurie Roper, Steve Rousell and Kirt Levy.

9. The defendant committed the offenses as to which he is charged in the Indictment herein.

10. The offense charged in Count 56 of the Indictment herein was committed in relation to certain drug trafficking criminality.

11. Attempts to rehabilitate defendant or deter defendant from future felonious criminal behavior have been unsuccessful.

12. There is a probability that the defendant will commit

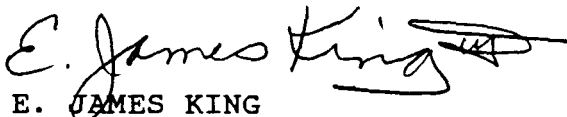
criminal acts of violence that will constitute a continuing threat to society in the future.

13. Any relevant aggravating conduct committed by defendant or attributable to defendant which is admitted at trial herein respecting the charged drug trafficking conspiracy and or the charged continuing criminal enterprise.

Respectfully submitted,



ALAN M. GERSHEL
United States Attorney



E. JAMES KING
Assistant United States Attorney



F. WILLIAM SOISSON
Assistant United States Attorney

Dated: 8/11/93

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,

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Aug 11 11:00 AM '93
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DETROIT

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the Government's
NOTICE OF INTENT TO SEEK THE DEATH PENALTY has this 11th day of
August, 1993, made upon the counsel by placing same in a government
franked envelope and depositing said envelope in the United States
mail addressed to:

Paul Curtis
One Kennedy Square #2330
Detroit, MI 48226

Linda Ann Mesky
LINDA ANN MESKY
Secretary, U.S. Attorney's Office

Dated: 8/11/93