

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 92-82-MAC(WDO)

vs.

Filed 2:55 P M

ARLEIGH CARRINGTON A/K/A
"ALI"

JAN 20 1993
Nora Saul
DEPUTY CLERK U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

COMES NOW the United States of America, pursuant to 21 U.S.C. § 848(h)(1)(A) and (B), by and through its undersigned counsel, and notifies the Court and the defendant in the above-captioned case that in the event of conviction for the murder of Reginald Bembrey and/or the murder of Shedrick Carter, the United States of America will seek the sentence of death for Arleigh Winston Carrington, a/k/a "Ali".

The Government will seek to prove the following aggravating factors as the basis for the death penalty.

I. For the Murder of Reginald Bembrey

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

1. The defendant Arleigh Carrington intentionally killed the victim, Reginald Bembrey, (n)(1)(A).

2. The defendant Arleigh Carrington intentionally inflicted serious bodily injury which resulted in the death of the victim,

(11)

Reginald Bembrey, (n)(1)(B).

3. The defendant Arleigh Carrington intentionally engaged in conduct intending that the victim be killed and that lethal force be employed against the victim, which resulted in the death of the victim, Reginald Bembrey, (n)(1)(C).

4. The defendant Arleigh Carrington 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 which resulted in the death of the victim, Reginald Bembrey, (n)(1)(D)(i) and (ii).

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

1. The defendant Arleigh Carrington, in the commission of the offense and in escaping apprehension for the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense, (n)(5).

2. The defendant Arleigh Carrington committed the murder of Reginald Bembrey in the expectation of the receipt of things of pecuniary value, to wit; money and controlled substances, (n)(7).

3. The defendant Arleigh Carrington committed the offense after substantial planning and premeditation, (n)(8).

II. For the Murder of Shedrick Carter

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

1. The defendant Arleigh Carrington intentionally killed the victim, Shedrick Carter, (n)(1)(A).

2. The defendant Arleigh Carrington intentionally inflicted serious bodily injury which resulted in the death of the victim, Shedrick Carter, (n)(1)(B).

3. The defendant Arleigh Carrington intentionally engaged in conduct intending that the victim be killed and that lethal force be employed against the victim, which resulted in the death of the victim, Shedrick Carter, (n)(1)(C).

4. The defendant Arleigh Carrington 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 which resulted in the death of the victim, Shedrick Carter, (n)(1)(D)(i) and (ii).

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

1. The defendant Arleigh Carrington, in the commission of the offense and in escaping apprehension for the offense, knowingly created a grave risk of death to one or more persons in addition to the victim of the offense, (n)(5).

2. The defendant Arleigh Carrington committed the murder of Shedrick Carter in the expectation of the receipt of things of pecuniary value, to wit; money and controlled substances, (n)(7).

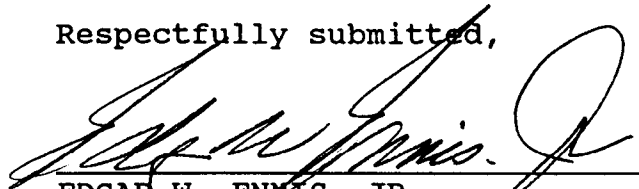
3. The defendant Arleigh Carrington committed the offense after substantial planning and premeditation, (n)(8).

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

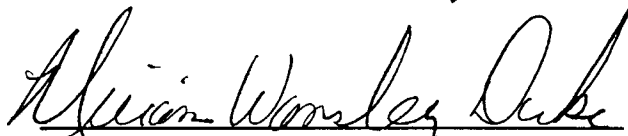
The defendant Arleigh Carrington has been convicted of more than one Federal offense, resulting in the death of a person, for

which a sentence of life imprisonment or a sentence of death was authorized by statute, to wit: the murder of Reginald Bembrey and the murder of Shedrick Carter.

Respectfully submitted,



EDGAR W. ENNIS, JR.
UNITED STATES ATTORNEY

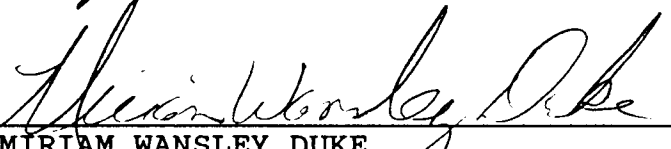


MIRIAM WANSLEY DUKE
ASSISTANT UNITED STATES ATTORNEY
CHIEF, CRIMINAL DIVISION

CERTIFICATE OF SERVICE

I, Miriam Wansley Duke, Assistant United States Attorney, do hereby certify that I have this date served the within and foregoing Government's Notice of Intent to Seek the Death Penalty upon defendant by mailing a copy of same to his attorney of record, Ms. Hulane George, Attorney at Law, Post Office Box 630, Milledgeville, Georgia 31061-0630, in a properly addressed and franked envelope.

This 20th day of January, 1993.


MIRIAM WANSLEY DUKE
ASSISTANT UNITED STATES ATTORNEY
CHIEF, CRIMINAL DIVISION

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