

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

UNITED STATES OF AMERICA

vs.

TONY CHATFIELD, A/K/A "CHAT"

CRIMINAL NO. 92-82-MAC(WDO)

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JAN 20 1993

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, 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 Tony Chatfield, a/k/a "Chat."

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 Tony Chatfield intentionally killed the victim, Reginald Bembrey, (n)(1)(A).

2. The defendant Tony Chatfield intentionally inflicted serious bodily injury which resulted in the death of the victim, Reginald Bembrey, (n)(1)(B).

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3. The defendant Tony Chatfield 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 Tony Chatfield 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 Tony Chatfield, 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 Tony Chatfield 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 Tony Chatfield 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 Tony Chatfield intentionally killed the victim, Shedrick Carter, (n)(1)(A).

2. The defendant Tony Chatfield intentionally inflicted

serious bodily injury which resulted in the death of the victim, Shedrick Carter, (n)(1)(B).

3. The defendant Tony Chatfield 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 Tony Chatfield 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 Tony Chatfield, 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, Tony Chatfield, committed the murder of Shedrick Carter in the expectation of the receipt of pecuniary value, to-wit; money and controlled substances, (n)(7).

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

**III. For Both the Murder of Reginald Bembrey and the Murder of Shedrick Carter**

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

The defendant Tony Chatfield has previously been convicted of

two or more State or Federal offenses punishable by a term of imprisonment of more than one year, committed on different occasions, involving the infliction of, or attempted infliction of, serious bodily injury upon another person, to wit: Robbery by Intimidation, 6/16/83, in the Superior Court of Bibb County, State of Georgia; and Armed Robbery, 1/5/86, in the Superior Court of Bibb County, State of Georgia, (n)(3).

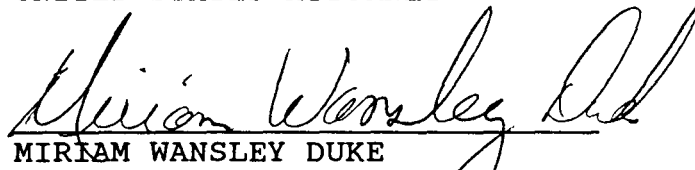
B. Other Aggravating Factors Identified under 21 U.S.C. §848(h)(1)(B) and § 848(k):

The defendant Tony Chatfield 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

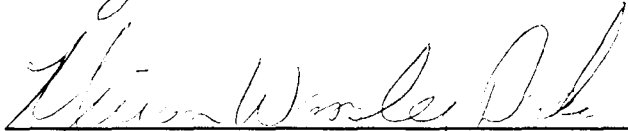


MIRIAM WANSLEY DUKE  
ASSISTANT UNITED STATES ATTORNEY  
CHIEF, CRIMINAL DIVISION

**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, Mr. O. Hale Almand, Attorney at Law, P. O. Box 1605, Macon, Georgia 31202-1605, 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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