

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FBI

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

JAN 15 12:13 PM '99

BY [Signature]
DEPUTY CLERK

UNITED STATES OF AMERICA)
)
 v.)
)
 CHRIS WILLIAM DEAN)

2:98CR63-01

NOTICE OF INTENT TO SEEK DEATH PENALTY

The United States of America, by and through its attorney, Charles R. Tetzlaff, United States Attorney for the District of Vermont, notifies the defendant Chris William Dean, the court and defendant's counsel that, in the event the defendant is convicted under Count 1 of the indictment, relating to the death of Christopher Marquis, the United States will seek the sentence of death.

The Government believes that the circumstances are such that if the defendant is convicted of that offense, a sentence of death is justified. At a death penalty hearing, it will seek to prove the aggravating factors listed below.

I. Aggravating Factors Enumerated Under 18 U.S.C. § 3591(a)(2)

1. The defendant intentionally killed Christopher Marquis (18 U.S.C. § 3591(a)(2)(A)).

2. The defendant intentionally inflicted serious bodily injury that resulted in the death of Christopher Marquis (18 U.S.C. § 3591(a)(2)(B)).

3. The defendant intentionally participated in the pipe-bombing of Christopher Marquis, 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 Christopher Marquis died as a direct result of the bombing (18 U.S.C. § 3591(a)(2)(C)).

4. The defendant intentionally and specifically engaged in the pipe-bombing of Christopher Marquis, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the bombing constituted a reckless disregard for human life, and Christopher Marquis died as a direct result of the bombing (18 U.S.C. § 3591(a)(2)(D)).

II. Aggravating Factors Enumerated Under 18 U.S.C. § 3592(c)(1) Through (16)

1. The death of Christopher Marquis occurred during the commission of a violation of 18 U.S.C. § 844(d) (transportation of an explosive device in interstate commerce) (18 U.S.C. § 3592(c)(1)).

2. The defendant, in the commission of the offense, knowingly created a grave risk of death to one or more persons in addition to Christopher Marquis (18 U.S.C. § 3592(c)(5)).

3. The defendant committed the offense in an especially heinous, cruel, or depraved manner in that it involved torture or serious physical abuse to Christopher Marquis (18 U.S.C. § 3592(c)(6)).

4. The defendant committed the offense after substantial planning and premeditation to cause the death of Christopher Marquis (18 U.S.C. § 3592(c)(9)).

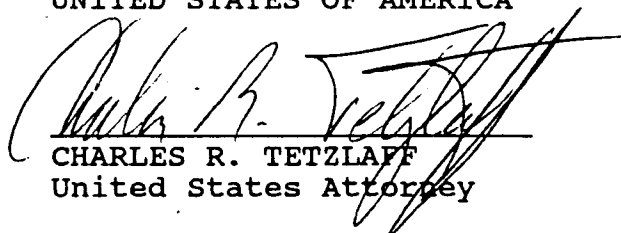
III. Other Aggravating Factors Identified Under 18 U.S.C. § 3593(a)

1. In committing the offense, the defendant caused serious physical injury to Sheila Rockwell, including maiming, disfigurement and permanent disability.
2. In committing the offense, the defendant caused substantial suffering to Christopher Marquis.
3. In committing the offense, the defendant caused Sheila Rockwell to witness the violent death of her only son.
4. The defendant engaged in substantial planning and premeditation in researching, constructing and mailing the pipe bomb.
5. By sending the pipe bomb via air and ground transportation, the defendant endangered the safety of many persons who handled and transported the bomb package, the aircraft and vehicles on which it was carried, and others who might have been in proximity to the aircraft and vehicles.

Dated at Burlington, in the District of Vermont, this 15th day of January, 1999.

Respectfully submitted,

UNITED STATES OF AMERICA


CHARLES R. TETZLAFF
United States Attorney

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

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CERTIFICATE OF SERVICE

I, Dori L. L. Chalmers, do hereby certify that I have served a copy of the foregoing NOTICE OF INTENT TO SEEK DEATH PENALTY on the Defendant by mailing a copy thereof to John L. Pacht, Esq., Hoff Curtis Pacht Cassidy & Frame PC, P.O. Box 1124, Burlington, VT 05402-1124 and Bradley S. Stetler, Esq., Stetler Allen & Kampmann, 95 St. Paul St., Burlington, VT 05401, counsel for the Defendant, this 15th day of January, 1999.


Dori L. L. Chalmers