

2. The Defendant, SHERMAN LAMONT FIELDS, intentionally inflicted serious bodily injury that resulted in the death of Suncerey Coleman. Section 3591(a)(2)(B).

3. The Defendant, SHERMAN LAMONT FIELDS, intentionally participated in an act, 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 one of the participants in the offense, and Suncerey Coleman died as a direct result of the act. Section 3591(a)(2)(C).

4. The Defendant, SHERMAN LAMONT FIELDS, intentionally and specifically engaged in an act of violence, 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 act constituted a reckless disregard for human life and Suncerey Coleman died as a direct result of the act. Section 3591(a)(2)(D).

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

The Government will seek to prove the following statutory aggravating factors as the basis for imposition of the death penalty in relation to Count Three of the Second Superseding Indictment:

1. The death, or injury resulting in death, occurred during the commission or attempted commission of, or during the immediate flight from the commission of, an offense under Title 18, United States Code, Section 751 (Prisoner in Custody of Institution or Officer). Section 3592(c)(1).

2. The Defendant, SHERMAN LAMONT FIELDS, has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than one year, involving the use or attempted or threatened use of a firearm (as defined in Title 18, United States Code, Section 921) against another person. Section 3592(c)(2).

3. The Defendant, SHERMAN LAMONT FIELDS, committed the offense after substantial planning and premeditation to cause the death of a person. Section 3593(c)(9).

**III. Other Non-Statutory Aggravating Factors Identified
Under 18 U.S.C. § 3593(a) and (c)**

The Government will seek to prove the following non-statutory aggravating factors as the basis for imposition of the death penalty in relation to Count Three of the Second Superseding Indictment:

1. The Defendant, SHERMAN LAMONT FIELDS, caused injury, harm, and loss to Suncerey Coleman, her family and children, and her friends as demonstrated by the victim's personal characteristics as an individual, including the fact that she was a new mother to a prematurely born infant, and the impact of her death upon her family, children, and friends.

2. Prior to the murder of Suncerey Coleman, the Defendant, SHERMAN LAMONT FIELDS, participated in additional uncharged murders, attempted murders, and other serious acts of violence.

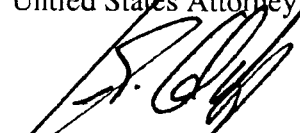
3. The Defendant, SHERMAN LAMONT FIELDS, is likely to commit criminal acts of violence in the future which would be a continuing and serious threat to the lives and safety of others, including, but not limited to, inmates and correctional officers in an institutional correctional setting, as evidenced by the offenses charged in the Second Superseding Indictment and the statutory and non-statutory aggravating factors alleged in this notice. In addition to the capital offense charged in the Second Superseding Indictment and the statutory and non-statutory aggravating factors alleged in this notice, SHERMAN LAMONT FIELDS has engaged in a continuous pattern of violent

conduct, has threatened others with violence, has demonstrated low rehabilitative potential, has made specific admissions of violence, is an escape risk, and/or has demonstrated lack of remorse.

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 Second Superseding Indictment as they relate to the background and character of the Defendant, SHERMAN LAMONT FIELDS, his moral culpability, and the nature and circumstances of the offenses charged in the Second Superseding Indictment.

Respectfully submitted,

JOHNNY SUTTON
United States Attorney



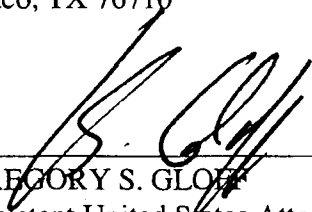
By: GREGORY S. GLOFF
Assistant United States Attorney
800 Franklin, Suite 280
Waco, TX 76701
(254) 750-1580

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Government's Notice of Intent to Seek a Sentence of Death has been forwarded on this 23rd day of May, 2003, to the following:

Mr. Scott Peterson
Attorney at Law
1701 Austin Avenue
Waco, TX 76701-1741

Mr. Rob Swanton
Attorney at Law
1105 Wooded Acres Drive, Suite 630
Waco, TX 76710



GREGORY S. GLOOR
Assistant United States Attorney