

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 02-20572-CR-KING

UNITED STATES OF AMERICA

vs.

LUIS GONZALEZ-LAUZAN, JR.,

Defendant.

GOVERNMENT'S NOTICE OF INTENT TO SEEK A DEATH SENTENCE

The United States hereby serves notice that it intends to seek the death sentence for defendant Luis Gonzalez-Lauzan, Jr. if he is convicted of any of the capital offenses charged in Counts 2, 3, and 5 of the Indictment.

Pursuant to Title 18, United States Code, Section 3593, the United States believes that the circumstances of the offense are such that a sentence of death is justified, and with the express authorization of the Attorney General, the United States will seek a death sentence, based upon the following:

1. Pursuant to Title 18, United States Code, Section 3591, the following intent factors serve as the statutory prerequisite for a death penalty:
 - (a) The defendant intentionally killed the victim (by procuring his murder by gunshots).
 - (b) The defendant 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 the victim died as a direct result of the act.
2. The United States intends to prove the following aggravating factors as justifying a sentence of death, pursuant to Title 18, United States Code, Section 3592(c)(7) and (9):

- (a) The defendant procured the capital offenses by payments or promises of payment of pecuniary value, that is, by cash payments and by satisfactions of or releases from debts.
- (b) The defendant committed the capital offenses after substantial planning and premeditation to cause the death of the victim.

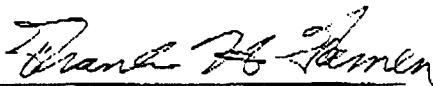
Additional non-statutory aggravating factors:

- (c) The defendant committed the offense for the purpose of obstructing justice, by preventing a witness from cooperating with law enforcement and testifying, and to retaliate against him for having cooperated with federal agents.
- (d) The defendant has shown a complete lack of remorse and poses a continuing danger to society as a result of his attitude and behavior.

Respectfully submitted,

MARCOS DANIEL JIMENEZ
UNITED STATES ATTORNEY

By:

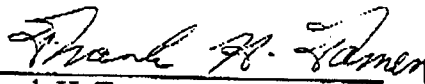

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 19th day of June 2003, to the following counsels of record:

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