

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED
DISTRICT COURT

UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO. 94-381 AM '95

v.

* SECTION: "C"(4)

PAUL HARDY
a/k/a "Cool"

*

* * *

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

TO: Paul Hardy
a/k/a "Cool"

YOU ARE HEREBY NOTIFIED that in the event of your conviction of guilty on count one of the second superseding indictment in this case, which charges a violation of Title 18, United States Code, Section 241, the government will seek the sentence of death.

YOU ARE HEREBY NOTIFIED that in the event of your conviction of guilty on count two of the second superseding indictment in this case, which charges a violation of Title 18, United States Code, Sections 2 and 242, the government will seek the sentence of death.

YOU ARE HEREBY NOTIFIED that in the event of your conviction of guilty on count three of the second superseding indictment in this case, which charges a violation of Title 18, United States Code, Sections 1512(a)(1)(c) and 2, the government will seek the sentence of death.

YOU ARE FURTHER NOTIFIED that upon each of the convictions of guilty noticed above, the government intends to prove the aggravating factors listed below.

I. AGGRAVATING FACTORS ENUMERATED UNDER 18 U.S.C. §3591(a)(2)(A) through (D):

(A) You intentionally killed the victim, Kim Marie Groves (18 U.S.C. §3591(a)(2)(A)2;

(B) You intentionally inflicted serious bodily injury that resulted in the death of the victim, Kim Marie Groves (18 U.S.C. §3591(a)(2)(B));

(C) You 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, Kim Marie Groves, died as a direct result of the act (18 U.S.C. §3591(a)(2)(C)); and

PROCESS	
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INDEX	
ORDER	
HEARING	170
DOCUMENT No.	

(D) You 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 the victim, Kim Marie Groves, died as a direct result of the act (18 U.S.C. §3591(a)(2)(D)).

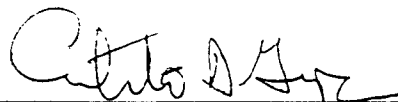
II. AGGRAVATING FACTORS ENUMERATED UNDER 18 U.S.C. §3592(c)(1) through (15):

1. You committed the offense as consideration for the receipt, or the expectation of the receipt of a thing of pecuniary value (18 U.S.C. §3592(c)(8)); and
2. You committed the offense after substantial planning and premeditation (18 U.S.C. §3592(c)(9)).

YOU ARE FURTHER NOTIFIED that the government will provide a list of the non-statutory aggravating factors it intends to prove at the trial in this case in a timely manner.

Respectfully submitted,

EDDIE J. JORDAN, JR.
UNITED STATES ATTORNEY



CONSTANTINE D. GEORGES
Assistant United States Attorney
Hale Boggs Federal Building
501 Magazine Street, 8th Floor
New Orleans, Louisiana 70130
Tel: 504-589-3809
Bar Roll No: 6021



MICHAEL E. McMAHON
Assistant United States Attorney
Bar Roll No: 10095

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

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UNITED STATES OF AMERICA

* CRIMINAL DOCKET NO. 94-381

v.

* SECTION: "C" (4)

PAUL HARDY, aka "Cool",
aka "P"

*

* * *

NOTICE OF NON-STATUTORY AGGRAVATING FACTORS UPON WHICH
THE GOVERNMENT WILL RELY IN SUPPORT OF THE DEATH PENALTY

NOW INTO COURT comes the United States, appearing by and through the undersigned government attorneys, and, pursuant to Title 18, United States Code, Sections 3592 and 3593(a)(2), notifies the Court and the defendant, Paul Hardy, in the above-captioned matter that in the event of the defendant's conviction for any or all of the three counts charged in the third superseding indictment, the government will seek the sentence of death, relying on the following non-statutory aggravating factors listed below.

1. Paul Hardy, along with others, committed or participated in additional violent acts, as evidenced by the following, among others:

a. On or about April 22, 1994, at approximately 2:10 a.m., in front of 1416 S. Johnson Street, New Orleans, Louisiana, Paul Hardy had Corey Richardson murdered in order to keep him quiet after Corey Richardson, pursuant to Paul Hardy's orders, had previously murdered one Don Bright. The victim, Mr. Richardson, was shot twice in the head and once through the neck.

b. On or about July 29, 1989, at 2:45 a.m., in the 2600 block of Congress Street, New Orleans, Louisiana, Paul Hardy directly participated, along with others, in a shooting spree

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INDEX _____
ORDER _____
HEARING
DOCUMENT No. _____

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resulted in the death of one Michael Handy, the permanent paralysis of William Gettridge, and the wounding of several other people. Paul Hardy, along with others, also followed one of the shooting victims to the emergency room of a local hospital and shot at the victim as he was being wheeled inside the hospital for treatment.

c. On or about September 18, 1988, at 6:21 p.m., in the 2300 block of Erato Street, New Orleans, Louisiana, Paul Hardy, riding in a 1982 Cutlass with another individual, pulled up along side of another vehicle and shot through the door of the vehicle, with an assault rifle killing the passenger, Jerome Andrews.

2. Paul Hardy constitutes a continuing threat of future dangerousness to the lives and safety of other persons, based upon the probability that Paul Hardy would commit other criminal acts of violence that would constitute a continuing threat to society, as evidenced by one or more of the following, among others:

a. On or about September 30, 1994, at approximately 7:45 p.m., at 2515 Alvar Street, New Orleans, Louisiana, Paul Hardy participated in the murder of Carlos Adams, aka "IU", aka "Ayuh", who died of multiple gunshot wounds.

b. On or about October 6, 1994, Paul Hardy asked Len Davis, in his capacity as a then-New Orleans Police officer, for the "names and everything" of two individuals who had allegedly stolen Paul Hardy's Jeep Cherokee, with Paul Hardy expressly telling Len Davis that, "I'm going to kill them bitches."

c. On or about October 12, 1994, at approximately 12:08 a.m., in the 2500 block of Mazant Street, New Orleans, Louisiana,

Shawn King and Troy Watts were murdered by multiple gunshot wounds from a .223 assault weapon and .9mm pistol by an individual known to Paul Hardy and who used Paul Hardy's .9mm pistol to commit the double murder of Messrs. King and Watts.

d. On or about October 20, 1994, at approximately 11:00 p.m., Paul Hardy and Damon Causey planned to conduct a shooting on the "black side" of the Florida Housing Project and, in order to facilitate this violent plan, Paul Hardy and Damon Causey contacted Len Davis, a then-New Orleans police officer, in order to confirm that no legitimate police officers were patrolling the area in which Paul Hardy intended to commit his act of violence.

e. On or about October 29, 1994, at approximately 2:59 p.m., Paul Hardy informed Len Davis he was about to "handle," meaning shoot, one "Poonie" and the "whole set", meaning other associates of "Poonie", in retaliation against Dan "Poonie" Bright and one Terrance, both of whom had earlier menaced Paul Hardy's girlfriend.

f. On or about November 7, 1994, at approximately 3:38 p.m., Paul Hardy asked Len Davis for the addresses of the mother and grandmother of Dan "Poonie" Bright in order to plan a shooting against Bright.

g. On or about October 14 and October 17, 1994, Paul Hardy indicated to Len Davis he would, at Davis' wish, kill the "twins", who had previously reported Len Davis to the New Orleans Police Internal Affairs Division.

3. Victim impact, evidenced by the fact that the murder of Kim Marie Groves has created harmful emotional distress upon her

adolescent children and other members of her family.

4. Paul Hardy displayed a complete and total lack of remorse for the killing of Kim Marie Groves, evidenced by his conversations with Len Davis in telephone calls intercepted on October 13 and 14, 1994, during which the death of Ms. Groves was confirmed.

5. Paul Hardy has displayed a low rehabilitative potential in his willingness to murder others for his own benefit, as mentioned in sections 1 and 2 above, as well as for the benefit of Len Davis, which is further evidence of Paul Hardy as a hardened violent offender devoid of any indication of the potential to rehabilitate himself. For example, during 1990 - 1993, in a series of video-taped interviews involving Paul Hardy and others, the violent acts of the "Hardy Boys", meaning Paul Hardy and his brothers, were described and flaunted, including the need to shoot, if necessary, innocent bystanders during drive-by shootings.

Respectfully submitted,

EDDIE J. JORDAN, JR.
UNITED STATES ATTORNEY

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon counsel for all parties by mailing the same to each, properly addressed and postage prepaid this 2nd day of October, 1995.
Michael E. McMahon
Assistant United States Attorney

Michael E. McMahon
MICHAEL E. MCMAHON
Assistant United States Attorney
Bar Roll No: 10095
Hale Boggs Federal Building
501 Magazine Street, 8th Floor
New Orleans, Louisiana 70130
Tel: 504-589-4324

Constantine D. Georges
CONSTANTINE D. GEORGES
Assistant United States Attorney
Bar Roll No: 6021