

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,  
Plaintiff,

CRIMINAL NO. 06- 368(JAF)

v.

**[1] RODNEY LOPEZ-MATIAS,  
[2]EDUARDO RIERA-CRESPO, aka  
“Bebo,”  
[3]RAYMOND ALERS -SANTIAGO**  
Defendants.

**TO THE HONORABLE COURT:**

**NOTICE OF INTENT TO SEEK A SENTENCE OF DEATH**

COMES NOW the United States of America, by and through the undersigned attorneys and very respectfully submit the following:

Pursuant to the attached Attorney General’s authorization dated January 31, 2007, and Title 18, United States Code, Section 3593(a), the United States of America hereby notifies this Honorable Court and defendants [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, and their respective counsels, that in the event of defendant’s conviction on Count Two of the Indictment, wherein the defendants are charged with aiding and abetting each other, with the intent to cause death and serious bodily harm, knowingly, willfully, intentionally and unlawfully did take a motor vehicle, that is a 1996 Chevrolet Blazer, license plate number CLT-895, with vehicle identification number (VIN) 1GNCS19W1T2310803, said motor having been transported in interstate or foreign commerce, from the person of Samuel Martínez-Solis by force, violence and intimidation, which resulted in his death, in violation of Title 18, United States Code, Section

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2119(3) and 2 and as set forth in Count Two of the Indictment, which is realleged and incorporated by reference herein, and in the course of that crime, unlawfully killed Samuel Martínez-Solis with malice aforethought and in so doing they used knives to stab said Samuel Martínez-Solis and their own combined physical strength to drown said Samuel Martínez-Solis, which is murder as defined in Title 18, United States Code, Section 1111, by knowingly, willfully, deliberately, maliciously, and with premeditation, stabbing and drowning Samuel Martínez-Solis, thus causing his death in violation of Title 18, United States Code, Sections 2119(3) and 2, the Government will seek a sentence of death, in that the circumstances of the offense are such that a sentence of death is justified.

**I. Statutory Threshold Findings Enumerated in 18 U.S.C §3591(a)(2)(A)(B)(C) & (D):**

The Government will seek to prove the following threshold findings as the basis for the imposition of the death penalty in relation to Count Two of the Indictment:

1. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, intentionally killed the victim. Section 3591(a)(2)(A).

2. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, intentionally inflicted serious bodily injury that resulted in the death of the victim. Section 3591(a)(2)(B).

3. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, intentionally participated in

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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. Section 3591(a)(2)(C).

4. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, 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 reckless disregard for human life and the victim 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:**

1. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, committed the offense described in Count Two in a especially heinous, cruel, cruel and depraved manner in that it involved torture and serious physical abuse to the victim. Section 3592(c)(6).

2. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, committed the offense described in Count Two as consideration for the receipt, or in expectation of the receipt, of anything of pecuniary value. Section 3592(c)(8).

3. The defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as “BEBO” and [3] RAYMOND ALERS SANTIAGO, committed the offense described in Count Two after substantial planning and premeditation to cause the death of a

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person, that is, the death of Samuel Martínez Solis. Section 3592(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 the imposition of the death penalty in relation to Count Two of the Indictment:

1. As demonstrated by the victim's personal characteristics as individual human being and the impact of his death upon his family, friends and co-workers, the defendants [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as "BEBO" and [3] RAYMOND ALERS SANTIAGO, caused injury, harm and loss to the victim, his family, his friends and co-workers.

2. The offense charged against the defendant and their involvement in various crimes of violence demonstrates that the defendants [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as "BEBO" and [3] RAYMOND ALERS SANTIAGO, have shown a likelihood of future dangerousness and constitute a serious threat to society.

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 Indictment as they relate to the background and character of the defendants, [1] RODNEY LOPEZ MATIAS, [2] EDUARDO RIERA CRESPO, also known as "BEBO" and [3] RAYMOND ALERS SANTIAGO, their moral culpability, and the nature and circumstances of the offenses charged in the Indictment.

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WHEREFORE, the United States very respectfully requests that its filing pursuant to Title 18, United States Code, Section 3593(a) of the Notice of Intent to Seek the Death Penalty in the instant case and in compliance with this Court order, be NOTED.

Respectfully submitted.

In San Juan, Puerto Rico, this 6<sup>th</sup>. day of February, 2007.

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 6, 2007, I electronically filed the foregoing document with the Clerk of the Court Cm/ECF system which will send notification of such filing to the following attorneys:

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