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**MICHAEL W DOBBINS
CLERK, U.S. DISTRICT COURT**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	No. 02 CR 137
)	
RONALD MIKOS)	Judge Ronald Guzman
)	
)	

NOTICE OF INTENT TO SEEK A SENTENCE OF DEATH

The United States of America hereby notifies the Court and the defendant, RONALD MIKOS, and his counsel, that in the event of the defendant's conviction on Count Twenty-Five of the Superseding Indictment, wherein the defendant is charged with killing Joyce Brannon, with the intent to prevent the attendance and testimony of Joyce Brannon in an official proceeding, namely testimony before a grand jury, in violation of Title 18, United States Code, Section 1512(a)(1)(A), the Government will seek the sentence of death, in that the circumstances of the offenses 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 imposition of the death penalty in relation to Count Twenty-Five of the Superseding Indictment:

1. The defendant, RONALD MIKOS, intentionally killed Joyce Brannon. 18 U.S.C. § 3591(a)(2)(A).
2. The defendant, RONALD MIKOS, intentionally inflicted serious bodily injury that resulted in the death of Joyce Brannon. 18 U.S.C. § 3591(a)(2)(B).

3. The defendant, RONALD MIKOS, intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with Joyce Brannon, and Joyce Brannon died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

4. The defendant, RONALD MIKOS, intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to Joyce Brannon, such that participation in the act constituted a reckless disregard for human life and Joyce Brannon died as a direct result of the act. 18 U.S.C. § 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 Twenty-Five of the Superseding Indictment:

1. The defendant, RONALD MIKOS, committed the offense described in Count Twenty-Five after substantial planning and premeditation to cause the death of Joyce Brannon. 18 U.S.C. § 3592 (c) (9).

2. In committing the offense described in Count Twenty-Five, defendant RONALD MIKOS, intentionally killed Joyce Brannon who was particularly vulnerable due to infirmity. 18 U.S.C. § 3592 (c) (11).

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 Twenty-Five of the Superseding Indictment:

1. The defendant, RONALD MIKOS, killed Joyce Brannon in an effort to obstruct

justice, tamper with a witness, and in retaliation for Joyce Brannon's cooperation with authorities.

2. As demonstrated by the victim's personal characteristics as an individual human being and the impact of her death upon her family, friends, and co-workers, the defendant, RONALD MIKOS, caused injury, harm, and loss to the victim's family, her friends, and her co-workers.

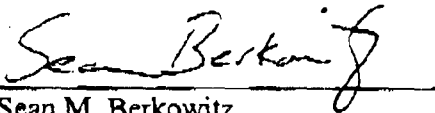
3. The defendant, RONALD MIKOS, has demonstrated a lack of remorse for his criminal conduct.

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 Superseding Indictment as they relate to the background and character of the defendant, RONALD MIKOS, his moral culpability, and the nature and circumstances of the offenses charged in the Superseding Indictment.

Respectfully submitted,

PATRICK J. FITZGERALD
UNITED STATES ATTORNEY
NORTHERN DISTRICT OF ILLINOIS

By:



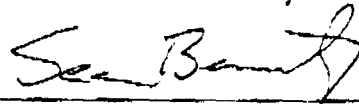
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Assistant United States Attorneys

Certificate of Service

The undersigned hereby certifies that on the 16th day of December, 2002, a copy of the Government's Notice was faxed and mailed to the following attorneys for the defendant:

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