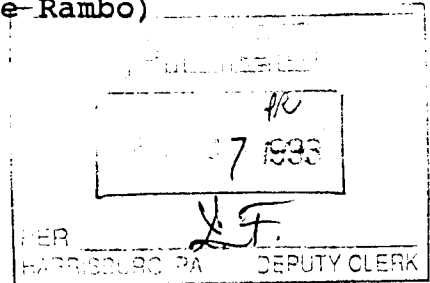


WPS:WAB:caz

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.)
)
 MICHAEL MURRAY a/k/a "SOLO")

Criminal No. 1:CR-92-200
(Chief Judge Rambo)



NOTICE

TO: MICHAEL MURRAY

You are hereby notified that in the event of your conviction on Count II of the Superseding Indictment in this case which charges a violation of Title 21, United States Code, Section 848(e)(1)(A), the United States of America will seek the sentence of death.

You are further notified that the United States of America will seek to prove the following aggravating factors as the basis for the death penalty:

1. Juan Carlos-Bacallo was intentionally killed by you. 21 U.S.C. § 848(n)(1)(A).

2. You intentionally inflicted serious bodily injury which resulted in the death of Juan Carlos-Bacallo. 21 U.S.C. § 848(n)(1)(B).

3. You intentionally engaged in conduct intending that Juan Carlos-Bacallo be killed or that lethal force be employed against

Juan Carlos-Bacallo, which resulted in the death of Juan Carlos-Bacallo. 21 U.S.C. § 848(n)(1)(C).

4. You intentionally engaged in conduct which resulted in the death of Juan Carlos-Bacallo. 21 U.S.C. § 848(n)(1)(D)(ii).

5. You committed the offense after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

6. The offense was committed by you in an especially heinous, cruel or depraved manner in that it involved torture or serious physical abuse to Juan Carlos-Bacallo. 21 U.S.C. § 848(n)(12).

7. The offense was committed by you deliberately and with the reasonable expectation that the death of Juan Carlos-Bacallo would result.

8. Juan Carlos-Bacallo was killed by you without reasonable provocation.

9. You committed the offense as consideration for the receipt, or in the expectation of the receipt of anything of pecuniary value. 21 U.S.C. § 848(n)(7).

10. You committed this offense while on parole for a drug conviction.

11. You participated in two intentional, willful, deliberate and premeditated slayings in New York prior to the commission of this offense.

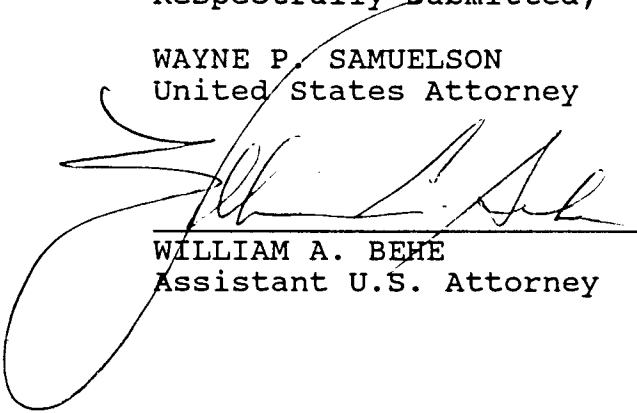
12. There is a reasonable probability that you would commit criminal acts of violence that would constitute a continuing threat to society in the future.

13. A deadly weapon, that is, a handgun, was used by you during the commission of this crime.

14. At present, the United States is unaware of any evidence which would constitute "mitigating factors" as that term is used in 21 U.S.C. § 848(m). Notice of these aggravating circumstances is given pursuant to and as authorized by §§ 848(h)(1)(A) and (B), and 848(n).

Respectfully submitted,

WAYNE P. SAMUELSON
United States Attorney



WILLIAM A. BEHE
Assistant U.S. Attorney

Dated:

August 27, 1993

WPS:WAB:caz

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	Criminal No. 1:CR-92-200
)	(Chief Judge Rambo)
v.)	
)	
MICHAEL MURRAY a/k/a "SOLO")	

CERTIFICATE OF SERVICE

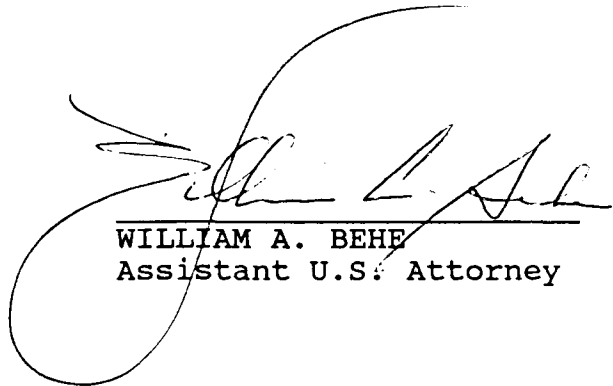
The undersigned hereby certifies that he is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 27th day of August 1993, he served a copy of the attached

NOTICE

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE(S):
Charles Witaconis, Esquire
321 Madison Avenue
Scranton, PA 18503



WILLIAM A. BEHE
Assistant U.S. Attorney