

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

UNITED STATES OF AMERICA :  
 : DOCKET NO.: 4:05-CR- 21 (CDL)  
 vs. :  
 : VIOLATIONS:  
 MICHAEL ANTONIO NATSON : 18 U.S.C. §§ 7(3), 13, 1111  
 : 18 U.S.C. §§ 924(c)(1) and (j)  
 \_\_\_\_\_ : O.C.G.A. § 16-5-80

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

Comes now the United States of America, by and through the United States Attorney for the Middle District of Georgia, and pursuant to Title 18, United States Code, Section 3593(a), files this Notice of Intent to Seek the Death Penalty, notifying the Court and the defendant, Michael Antonio Natson, that in the event the defendant is convicted on any of Counts One and Three of the Indictment returned in this case, wherein the defendant is charged respectively with murder with malice, in violation of Title 18 United States Code, Section 1111, and causing the murder of a person through the use of a firearm, in violation of Title 18, United States Code, Sections 924(c) and (j), the Government will seek the sentence of death, in that the circumstances of the offenses are such that a sentence of death is justified.

If the defendant is convicted, the Government intends to prove the following aggravating factors as a basis for imposition of the death penalty.

A. Statutory Proportionality Factors Enumerated Pursuant to Title 18, United States Code, Sections 3591(a)(2).

The government will seek to prove the following threshold findings as the basis for the imposition of the death penalty in relation to Counts One and Three of the Indictment:

1. Michael Antonio Natson was more than 18 years of age at the time of the offense(s). [18 U.S.C. §3591(a)].
2. Michael Antonio Natson intentionally killed Ardena Marie Carter. [18 U.S.C. § 3591(a)(2)(A)].
3. Michael Antonio Natson intentionally inflicted serious bodily injury which resulted in the death of Ardena Marie Carter. [18 U.S.C. § 3591(a)(2)(B)].
4. Michael Antonio Natson intentionally participated in an act, contemplating that the life of Ardena Marie Carter would be taken and that lethal force would be used against Ardena Marie Carter, a person other than a participant in the offense, directly resulting in her death. [18 U.S.C. § 3591(a)(2)(C)].
5. Michael Antonio Natson intentionally and specifically engaged in an act of violence which:
  - a. Michael Antonio Natson knew would create a grave risk of death to the victim, Ardena Marie Carter, a person other than a participant in the offense, such that Michael Antonio Natson's participation in the act constituted a reckless disregard for human life; and
  - b. Directly resulted in the death of Ardena Marie Carter.[18 U.S.C. § 3591(a)(2)(D)].

B. Statutory Aggravating Factors Enumerated Pursuant to Title 18, United States Code, Sections 3592(c).

The government will seek to prove the following statutory aggravating factors as the basis for the imposition of the death penalty in relation to Counts One and Three of the Indictment.

1. Michael Antonio Natson killed Ardena Marie Carter after substantial planning and premeditation to cause the death of Ardena Marie Carter. [18 U.S.C. § 3592(c)(9)].
2. Ardena Marie Carter was particularly vulnerable due to her being 24 weeks pregnant. [18 U.S.C. § 3592(c)(11)].

C. Non-Statutory Aggravating Factors Enumerated Pursuant to Title 18, United States Code, Section 3593(a).

The government will seek to prove the following non-statutory aggravating factors as the basis for imposition of the death penalty in relation to Counts One and Three of the Indictment.

1. Victim Impact Evidence. The offense caused injury, loss and harm because of victim Ardena Marie Carter's personal characteristics as an individual human being and the impact of the death upon Ardena Marie Carter's family.
2. Continuing Danger. Michael Antonio Natson represents a continuing danger to the lives and safety of other persons. The defendant has committed the acts alleged in the capital offenses charged in the Indictment and in the statutory and non-statutory aggravating factors contained in this Notice, and, in addition, has committed and exhibited acts and characteristics including but not limited to the following:

Lack of remorse-After the commission of the offenses charged in this Indictment, the defendant, through his actions and statements, demonstrated an utter lack of remorse over having committed the offense.

3. Michael Antonio Natson intentionally terminated the pregnancy of Ardena Marie Carter.

Respectfully submitted this 8<sup>th</sup> day of December, 2005.

G. F. PETERMAN, III  
ACTING UNITED STATES ATTORNEY

By: \_\_\_\_\_  
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CERTIFICATE OF SERVICE

I hereby certify that on the 8<sup>th</sup> day of December, 2005, I electronically filed the within and foregoing NOTICE OF INTENT TO SEEK THE DEATH PENALTY with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: John T. Martin, Esquire.

G. F. PETERMAN, III  
ACTING UNITED STATES ATTORNEY

BY: \_\_\_\_\_

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