

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

D-3 LONNIE O'BRYANT,

Defendant.

CRIMINAL NO. 92-81127

HONORABLE AVERN COHN

AMENDED NOTICE OF INTENT TO SEEK THE DEATH PENALTY

COMES NOW the United States of America, pursuant to 21 U.S.C. § 848(h)(1)(A) and (B), by and through its undersigned counsel, and notifies the Court and the defendant in the above-captioned case that in the event of conviction for the murder of Joseph Long and Stanley Minkerson, the government will seek the sentence of death for Lonnie O'Bryant.

The government will seek to prove the following aggravating factors as the basis for the death penalty.

I. For the Murder of Joseph Long

A. Aggravating Factors Enumerated under 21 U.S.C. § 848(n)(1)(A) through (D):

1. The defendant intentionally killed the victim, (n)(1)(A).
2. The defendant intentionally inflicted serious bodily injury which resulted in the death of the victim, (n)(1)(B).
3. The defendant intentionally engaged in conduct intending that the victim be killed and that lethal force be employed against the victim, which resulted in the death of the victim, (n)(1)(C).

4. The defendant intentionally engaged in conduct which defendant knew would create a grave risk of death to more than one person, other than the participants in the offense and resulted in the death of an innocent victim, namely, Stanley Minkerson. Title 21 U.S.C. § 848 (n) (1) (D).

OTHER FACTORS

5. Clyde Carter was intentionally killed. 21 U.S.C. § 848(n) (1).

6. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n) (8).

7. The defendant intentionally engaged in conduct intending that a person be killed and that lethal force be employed against Clyde Carter which resulted in the death of the victim. 21 U.S.C. § 848(n) (1) (C).

8. The defendant intentionally engaged in conduct which defendant knew would create a grave risk of death to more than one person, other than the participants in the offense and resulted in the death of an innocent victim, namely, Patricia Scott Brinson. 21 U.S.C. § 848(n) (1) (D).

9. The defendant Lonnie O'Bryant intentionally killed the victim Bernard Lamar. 21 U.S.C. § 848(n) (1) (A).

10. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n) (8).

11. Deadly weapons were used by the defendant in the murders Clyde Carter, Patricia Scott Brinson, Joseph Long, Stanley Minkerson, and Bernard Lamar.

12. The defendant committed the offenses as to which he is charged in the Indictment herein.

13. The offense charged in Count 54 of the Indictment herein was committed in relation to certain drug trafficking criminality.

14. Attempts to rehabilitate defendant or deter defendant from future felonious criminal behavior have been unsuccessful.

15. There is a probability that the defendant will commit criminal acts of violence that will constitute a continuing threat to society in the future.

16. Any relevant aggravating conduct committed by defendant or attributable to defendant which is admitted at trial herein

respecting the charged drug trafficking conspiracy and or the charged continuing criminal enterprise.

Respectfully submitted,

Alan M. Gershel
ALAN M. GERSHEL
United States Attorney

E. James King
E. JAMES KING
Assistant United States Attorney

F. William Soisson
F. WILLIAM SOISSON
Assistant United States Attorney

Dated: 8/11/93

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 92-81127

-vs-

HONORABLE AVERN COHN

D-3 LONNIE O'BRYANT,

Defendant.

**NOTICE OF INTENT TO SEEK
THE DEATH PENALTY**

Now comes the United States of America, by and through Adam M. Gershel, United States Attorney and F. William Soisson, and E. James King, Assistant United States Attorneys, and notifies the Court and the Defendant that the government, in the event of a conviction on Count 54 of the 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.

The applicable aggravating factors enumerated in Title 21, United States Code, Section 848(n) are as follows:

THE INTENTIONAL KILLING OF JOSEPH LONG AND STANLEY MINKERSON

1. Joseph Long was intentionally killed. 21 U.S.C. § 848(n)(1).

2. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

3. The defendant intentionally engaged in conduct intending that a person be killed and that lethal force be employed against Joseph Long which resulted in the death of the victim. Title 21 U.S.C. § 848(n)(1)(C).

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EAST DISTRICT OF MICHIGAN
SOUTHERN DIVISION
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4. The defendant intentionally engaged in conduct which defendant knew would create a grave risk of death to more than one person, other than the participants in the offense and resulted in the death of an innocent victim, namely, Stanley Minkerson. Title 21 U.S.C. § 848 (n)(1)(D).

OTHER FACTORS

5. Clyde Carter was intentionally killed. 21 U.S.C. § 848(n)(1).

6. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

7. The defendant intentionally engaged in conduct intending that a person be killed and that lethal force be employed against Clyde Carter which resulted in the death of the victim. 21 U.S.C. § 848(n)(1)(C).

8. The defendant intentionally engaged in conduct which defendant knew would create a grave risk of death to more than one person, other than the participants in the offense and resulted in the death of an innocent victim, namely, Patricia Scott Brinson. 21 U.S.C. § 848(n)(1)(D).

9. The defendant Lonnie O'Bryant intentionally killed the victim Bernard Lamar. 21 U.S.C. § 848(n)(1)(A).

10. The offense was committed after substantial planning and premeditation. 21 U.S.C. § 848(n)(8).

11. Deadly weapons were used by the defendant in the murders Clyde Carter, Patricia Scott Brinson, Joseph Long, Stanley Minkerson, and Bernard Lamar.

12. The defendant committed the offenses as to which he is charged in the Indictment herein.

13. The offense charged in Count 54 of the Indictment herein was committed in relation to certain drug trafficking criminality.

14. Attempts to rehabilitate defendant or deter defendant from future felonious criminal behavior have been unsuccessful.

15. There is a probability that the defendant will commit criminal acts of violence that will constitute a continuing threat to society in the future.

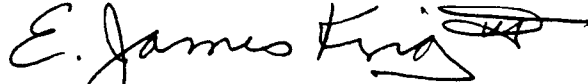
16. Any relevant aggravating conduct committed by defendant or attributable to defendant which is admitted at trial herein

respecting the charged drug trafficking conspiracy and or the
charged continuing criminal enterprise.

Respectfully submitted,



ALAN M. GERSHEL
United States Attorney



E. JAMES KING
Assistant United States Attorney



F. WILLIAM SOISSON
Assistant United States Attorney

Dated: 8/11/93

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 92-81127

-vs-

HONORABLE AVERN COHN

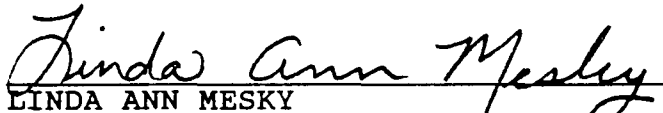
D-3 LONNIE O'BRYANT,

Defendant.

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the Government's
NOTICE OF INTENT TO SEEK THE DEATH PENALTY has this 11th day of
August, 1993, made upon the counsel by placing same in a government
franked envelope and depositing said envelope in the United States
mail addressed to:

Anthony T. Chambers
3650 Penobscot Building
Detroit, MI 48226


LINDA ANN MESKY
Secretary, U.S. Attorney's Office

Dated: August 11, 1993

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EASTERN DISTRICT OF MICHIGAN
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