

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :
 :
 v. : Criminal No. 3:02CR7 (JBA)
 :
 WILFREDO PEREZ, :
 aka "Wil" and "Wilfred"; :
 :
 JOSE ANTONIO PEREZ, :
 aka "Tony"; :
 :
 SANTIAGO FELICIANO, :
 aka "Jay" and "Fat Jay"; :
 :
 FAUSTO GONZALEZ :
 aka "Fast" :
 : Dated: January 21, 2003
 RAYMOND PINA :
 aka "Shorty" :

**NOTICE OF INTENT TO SEEK THE
DEATH PENALTY REGARDING WILFREDO PEREZ**

COMES NOW the United States of America, by and through its undersigned counsel, and pursuant to Title 18, United States Code, Section 3593(a), hereby files this Notice of Intent to Seek the Death Penalty, notifying the Court and the defendant WILFREDO PEREZ and his counsel that the Government believes the circumstances of the offenses charged in Counts One, Two, Three, Four, and Five of the Superseding Indictment are such that, in the event of a conviction against WILFREDO PEREZ on any of those counts, a sentence of death is justified under Chapter 228 (Sections 3591 through 3598) of Title 18 of the United States Code, and that the Government will seek the sentence of death.

The Government intends to prove, as to each of Counts One, Two, Three, Four, and Five, the following factors as justifying a sentence of death:

A. Statutory Threshold Factors Enumerated under 18 U.S.C. § 3591(a)(2)

1. Intentional Participation in an Act -- The defendant WILFREDO PEREZ intentionally participated in acts, contemplating that the life of Theodore "Teddy" Casiano would be taken and intending that lethal force would be used in connection with Theodore "Teddy" Casiano, a person other than one of the participants in the offense, and Theodore "Teddy" Casiano died as a direct result of the acts. 18 U.S.C. § 3591(a)(2)(C).

B. Statutory Aggravating Factors Enumerated under 18 U.S.C. § 3592(c)

1. Procurement of Offense by Payment -- The defendant WILFREDO PEREZ procured the commission of the offense by payment, and promise of payment of something of pecuniary value. 18 U.S.C. § 3592(c)(7).
2. Substantial Planning and Premeditation -- The defendant WILFREDO PEREZ committed the offense after substantial planning and premeditation to

cause the death of Theodore "Teddy" Casiano. 18
U.S.C. § 3592(c)(9).

C. Other Non-Statutory Aggravating Factors Identified
under 18 U.S.C. §§ 3592(c) and 3593(a)(2)

1. Commission of the Offense in Connection with a
Leadership Role in a Racketeering Enterprise --
The defendant WILFREDO PEREZ committed the offense
in connection with his role as the leader of the
Perez Organization, an enterprise engaged in
racketeering activity, as alleged in the
Superseding Indictment.

The Government further gives notice that, in support of the 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 WILFREDO PEREZ, his moral culpability, and the nature and circumstances of the offenses charged in the Superseding Indictment.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that the within and foregoing has been sent via first-class mail this 21st day of January, 2003 to:

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