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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

3/8/89
FILED

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UNITED STATES OF AMERICA

- against -

THOMAS PITERA,
a/k/a "Tommy Karate",

Defendant.

NOTICE OF INTENTION
TO SEEK DEATH PENALTY

Cr. No. 90-424 (S-3)(RR)
(T.21 U.S.C. §§ 848(a),
(c), (e)(1)(A),
(h)(1)(B), (n)(1)(A),
(n)(8), and (n)(12))

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The United States of America, by United States Attorney Andrew J. Maloney, hereby gives notice pursuant to Sections 848(a), (c), (e)(1)(A), (h)(1)(B), and (n) of Title 21, United States Code, that in the event of conviction of the defendant THOMAS PITERA, a/k/a "Tommy Karate", in the captioned case, the government will seek the sentence of death based on proof of the following aggravating factors:

1. On or about March 15, 1989, the defendant THOMAS PITERA, a/k/a "Tommy Karate", intentionally killed Richard Leone and Solomon Stern. (21 U.S.C. § 848(n)(1)(A)).

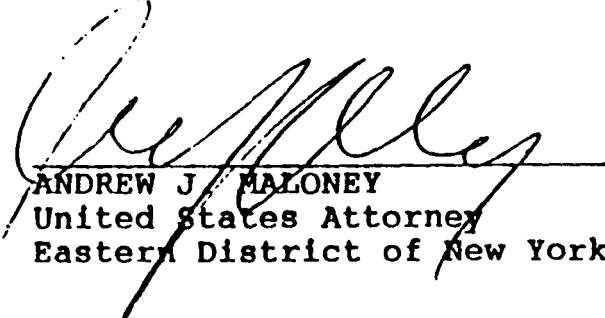
2. The defendant committed the offense set forth in paragraph one after substantial planning and premeditation. (21 U.S.C. § 848(n)(8)).

3. The defendant committed the offense set forth in paragraph one in an especially heinous, cruel, and depraved

manner in that it involved torture and serious physical abuse to the victims. (21 U.S.C. § 848(n)(12)).

4. The defendant committed the offense set forth in paragraph one as part of a series of intentional and premeditated murders, to wit: the murders of Talal Siksik, Marek Kucharsky, Phyllis Burdi, Joseph Balzano, Carlos Acosta, Fernando Aguilera, Wilfred Johnson, as more fully charged in the captioned indictment, all of which murders predated November 18, 1988, the effective date of the death penalty statute. (21 U.S.C. § 848(h)(1)(B)).

5. The defendant committed the murders set forth in paragraph four in an especially heinous, cruel, and depraved manner in that it involved torture and serious physical abuse to the victims. (21 U.S.C. § 848(h)(1)(B)).



ANDREW J. MALONEY
United States Attorney
Eastern District of New York