

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
))
) vs. Criminal No. AW-00-0105
))
STEPHEN D. SATCHER,)
))
) Defendant.)

NOTICE OF INTENTION TO SEEK THE DEATH PENALTY
AS TO DEFENDANT STEPHEN D. SATCHER

COMES NOW the United States of America, pursuant to 18 U.S.C. § 3593(a), by and through its undersigned counsel, and notifies the Court and the defendant in the above-captioned case that the Government believes the circumstances of the offenses charged in Count One and Count Three of the Second Superseding Indictment are such that, in the event of the defendant's conviction of one or both offenses, 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 for these offenses: Count One, the kidnapping of Jovita Dickerson which resulted in her death in violation of 18 U.S.C. § 1201(a); and Count Three, the carjacking of Jovita Dickerson which resulted in her death in violation of 18 U.S.C. § 2119.

The Government proposes to prove the following factors as justifying a sentence of death:

COUNT ONE
THE KIDNAPPING OF JOVITA DICKERSON
WHICH RESULTED IN DEATH

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

1. **Intentional Acts to Take Life or Use Lethal Force.** The defendant intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Jovita Dickerson died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

2. **Intentional Acts of Violence Creating a Grave Risk of Death.** The defendant intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Jovita Dickerson died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(D).

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

1. **Death during Commission of Another Crime.** The death and injuries resulting in death occurred during the commission of, attempted commission of, and during the immediate flight from the commission of, an offense under 18 U.S.C. § 1201 (kidnapping). 18 U.S.C. § 3592(c)(1).

2. **Heinous, Cruel, or Depraved manner of committing the offense.** The defendant committed the offense in an especially heinous, cruel and depraved manner in that it involved torture and serious physical abuse to Jovita Dickerson. This is shown by facts, including

but not limited to, the binding and gagging of Jovita Dickerson, the strangulation of Jovita Dickerson, the efforts to inject Jovita Dickerson with a needle several times, and placing her bound and gagged body in the trunk of her car.

3. **Procurement of the Offense by Payment.** The defendant procured the commission of the offense by payment, or promise of payment, of anything of pecuniary value. The defendant offered Daniel Stancil and James Horton drugs and money to assist him in the offenses which resulted in the death of Jovita Dickerson.

4. **Substantial Planning and Premeditation.** The defendant committed the offense after substantial planning and premeditation to cause the death of Jovita Dickerson. This is shown by facts including, but not limited to, the following:

- (a) The defendant traveled to North Carolina, recruited Daniel Stancil and James Horton to assist him in the kidnapping and murder of Jovita Dickerson.
- (b) The defendant planned an alibi for himself.
- (c) The defendant along with Horton and Stancil concocted, planned, and stalked Jovita Dickerson in order to commit the offenses which resulted in her death her.

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

1. **Victim Impact Evidence.** The defendant caused injury, harm, and loss to the victim and the victim's family because of the effect of the offense on the victim, the victim's personal characteristics as an individual human being and the impact of the death upon the victim and the victim's family. Payne v. Tennessee, 501 U.S. 808, 826-827 (1991); 18 U.S.C. § 3593(a).

2. **Obstruction of Justice.** Stephen D. Satcher has obstructed the investigation of the offenses which resulted in the death of Jovita Dickerson. This is shown by facts including, but not limited to, one or more of the following:

(1) Stephen D. Satcher destroyed and removed evidence and directed others, including Stancil and Horton, to destroy and remove evidence including, but not limited to, Jovita Dickerson's body, her car, and other personal property.

(2) Stephen D. Satcher threatened, encouraged, and enticed other individuals to lie about his whereabouts and involvement in the offenses which resulted in the death of Jovita Dickerson.

COUNT THREE
THE CARJACKING OF JOVITA DICKERSON
WHICH RESULTED IN DEATH

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

1. **Intentional Acts to Take Life or Use Lethal Force.** The defendant intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Jovita Dickerson died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(C).

2. **Intentional Acts of Violence Creating a Grave Risk of Death.** The defendant intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that

participation in the act constituted a reckless disregard for human life and Jovita Dickerson died as a direct result of the act. 18 U.S.C. § 3591(a)(2)(D).

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

1. **Death during Commission of Another Crime.** The death and injuries resulting in death occurred during the commission of, attempted commission of, and during the immediate flight from the commission of, an offense under 18 U.S.C. § 1201 (kidnapping). 18 U.S.C. § 3592(c)(1).

2. **Heinous, Cruel, or Depraved manner of committing the offense.** The defendant committed the offense in an especially heinous, cruel and depraved manner in that it involved torture and serious physical abuse to Jovita Dickerson. This is shown by facts, including but not limited to, the binding and gagging of Jovita Dickerson, the strangulation of Jovita Dickerson, the efforts to inject Jovita Dickerson with a needle several times, and placing her bound and gagged body in the trunk of her car.

3. **Procurement of the Offense by Payment.** The defendant procured the commission of the offense by payment, or promise of payment, of anything of pecuniary value. The defendant offered Daniel Stancil and James Horton drugs and money to assist him in the offenses which resulted in the death of Jovita Dickerson.

4. **Substantial Planning and Premeditation.** The defendant committed the offense after substantial planning and premeditation to cause the death of Jovita Dickerson. This is shown by facts including, but not limited to, the following:

- (a) The defendant traveled to North Carolina, recruited Daniel Stancil and James Horton to assist him in the kidnapping which resulted in the death of Jovita Dickerson.
- (b) The defendant planned an alibi for himself.
- (c) The defendant, along with Horton and Stancil, concocted, planned, and stalked Jovita Dickerson in order to commit the offenses which resulted in her death her.

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

1. **Victim Impact Evidence.** The defendant caused injury, harm, and loss to the victim and the victim's family because of the effect of the offense on the victim, the victim's personal characteristics as an individual human being and the impact of the death upon the victim and the victim's family. Payne v. Tennessee, 501 U.S. 808, 826-827 (1991); 18 U.S.C. § 3593(a).

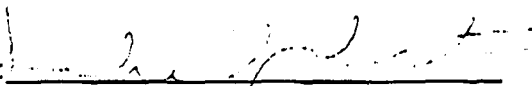
2. **Obstruction of Justice.** Stephen D. Satcher has obstructed the investigation of the offenses which resulted in the death of Jovita Dickerson. This is shown by facts including, but not limited to, one or more of the following:

(1) Stephen D. Satcher destroyed and removed evidence and directed others, including Stancil and Horton, to destroy and remove evidence including, but not limited to, Jovita Dickerson's body, her car, and other personal property.


(2) Stephen D. Satcher threatened, encouraged, and enticed other individuals to lie about his whereabouts and involvement in the offenses which resulted in Jovita Dickerson's death.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of May, 2001, a true and correct copy of the above and foregoing Notice of Intention to Seek the Death Penalty As To Defendant Stephen D. Satcher to be mailed first class, postage prepaid to counsel as follows:

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Deborah A. Johnston
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