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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY  DC

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UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 RAMON LAROI SHORTER,)
)
 Defendant.)

Robert R. Di Tollo
CLERK U.S. DIST. CT.
WESTERN DISTRICT OF TN, MEMPHIS

Cx. No. 01-20041-D

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

COMES NOW the United States of America, pursuant to Title 18, United States Code, Section 3593(a), by and through its undersigned counsel, and notifies the Court and the defendant Ramon Laroi Shorter, that the United States believes the circumstances of the offenses charged in counts Three and Five of the indictment are such that, in the event of conviction, a sentence of death is justified under Chapter 228 (Sections 3591 through 3598) of Title 18 of the United States Code, and that the United States will seek the sentence of death for these offenses: killing Willie Pearl Carter during the commission of a bank robbery, in violation of Title 18, United States Code, Section 2113(e), and, in the course of using and carrying a firearm during and in relation to a crime of violence, causing the death of Willie Pearl Carter through the use of a firearm in violation of Title 18, United States Code,



Section 924(j), both of which offenses carry a possible sentence of death.

The United States proposes to prove the following factors as justifying a sentence of death.

A. Statutory Proportionality Factors Enumerated Under Title 18, United States Code, Section 3591(a)(2)(A)-(D)

1. Intentional Killing - The defendant intentionally killed Willie Pearl Carter, Section 3591(a)(2)(A).

2. Intentional Infliction of Serious Bodily Injury - The defendant intentionally inflicted serious bodily injury that resulted in the death of Willie Pearl Carter. Section 3591(a)(2)(B).

3. 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 or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and Willie Pearl Carter died as a direct result of the act. Section 3591(a)(2)(C).

4. Intentional Acts to Engage in Act of Violence, Knowing Action Created 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 to one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life, and Willie Pearl Carter died as a direct result of the act. Section 3591(a)(2)(D).

B. Statutory Aggravating Factors Enumerated Under Title 18, United States Code, Section 3592(c)

1. Grave Risk of Death to Additional Person - The defendant, in the commission of the offense, knowingly created a grave risk of death to a person in addition to the victim of the offense. Section 3592(c)(5).

2. Pecuniary Gain - The defendant committed the offense as consideration for the receipt, or in expectation of the receipt, of things of pecuniary value. Section 3592(c)(8).

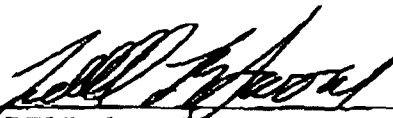
3. Vulnerability of Victim - Willie Pearl Carter, the victim, was particularly vulnerable due to old age. Section 3592(c)(11).

C. Other Non-Statutory Aggravating Factors Identified Under Title 18, United States Code, Section 3593(a)(2)


1. Victim Impact Evidence - As reflected by Willie Pearl Carter's personal characteristics as an individual human being and the impact of the offense on Willie Pearl Carter, her family and her friends, the defendant caused loss, injury, and harm to Willie Pearl Carter, her family and her friends. Section 3593(a); Payne v. Tennessee, 501 U.S. 808 (1991).

2. Obstruction of Justice - The defendant killed Willie Pearl Carter to prevent her from foiling the bank robbery involved in this case, to prevent her from alerting law enforcement about the bank robbery, and to eliminate her as a witness to his crime.


Respectfully submitted,



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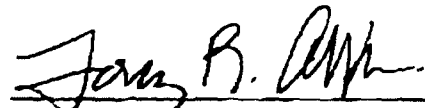


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CERTIFICATE OF SERVICE

I, Tony R. Arvin, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing Death Penalty Notice of the United States has been mailed, first class postage pre-paid, to Ms. Doris Randle-Holt, Assistant Federal Defender, 200 Jefferson Avenue, Suite 200, Memphis, TN 38103 and Mr. Thomas F. Bloom, Attorney at Law, 500 Church Street, 5th Floor, Nashville, TN 37219.

This 13th day of December, 2001.



 TONY R. ARVIN
 Assistant United States Attorney