

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 1:04-cr-160
vs.)	Judge Collier
)	
REJON TAYLOR,)	
)	
Defendant.)	

**AMENDED SUPERSEDING NOTICE OF INTENT TO SEEK
THE DEATH PENALTY AS TO DEFENDANT REJON TAYLOR**

The United States of America hereby notifies the Court and the defendant, REJON TAYLOR, and his counsel, under Chapter 228 (Sections 3591-3598) of Title 18, United States Code, that if the defendant is convicted on either Count One, Count Two, Count Three, or Count Four of the Indictment, wherein the defendant is charged respectively with carjacking resulting in death in violation of Title 18, United States Code, Sections 2119 and 2; firearms murder during and in relation to carjacking in violation of Title 18, United States Code, Sections 924(j)(1) and 2; kidnaping resulting in death in violation of Title 18, United States Code, Sections 1201(a)(1) and 2; and firearms murder during and in relation to kidnaping in violation of Title 18, United States Code, Sections 924(j)(1) and 2, the government will seek the sentence of death for REJON TAYLOR as to each offense.

As required by 18 U.S.C. §§ 3593(a), (d), and (e) for Counts One, Two, Three and Four of the Indictment, the United States will introduce evidence establishing beyond a reasonable doubt:

- a. One or more of the statutory intent factors set forth by 18 U.S.C. §§ 3591(a)(2)(A)-(D); and

b. One or more of the statutory aggravating factors set forth by 18 U.S.C. §§3592(c)(1)-(16).

As permitted by 18 U.S.C. §§ 3593(a) and (d), the United States will also seek to prove certain non-statutory aggravating factors set forth in this notice. The United States believes that the circumstances of each charged offense are such that, if REJON TAYLOR is convicted, a sentence of death is justified under Chapter 228 of the Title 18 of the United States Code.

The United States will seek to prove the following factors as justifying a sentence of death as to Counts One and Two of the Indictment.

I. Statutory Intent Factors under 18 U.S.C. §§ 3591(a)(2)(A)-(D):

1. **Intentional Killing.** REJON TAYLOR intentionally killed Guy Jean Luck [Title 18, United States Code, Section 3591(a)(2)(A)];

2. **Intentional Infliction of Serious Bodily Injury.** REJON TAYLOR intentionally inflicted serious bodily injury that resulted in the death of Guy Jean Luck [Title 18, United States Code, Section 3591(a)(2)(B)];

3. **Intentional Act to Take Life or Use Lethal Force.** REJON TAYLOR intentionally participated in an act, contemplating that the life of Guy Jean Luck would be taken and intending that lethal force would be used in connection with Guy Jean Luck, who was not one of the participants in the offense, and Guy Jean Luck died as a direct result of the act [Title 18, United States Code, Section 3591(a)(2)(C)];

4. **Intentional Act in Reckless Disregard for Life.** REJON TAYLOR intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to Guy Jean Luck, who was not one of the participants in the offense, such that participation in the act

constituted a reckless disregard for human life, and Guy Jean Luck died as a direct result of the act [Title 18, United States Code, Section 3591(a)(2)(D)].

II. Statutory Aggravating Facts under 18 U.S.C. §§ 3592(c)(1)-(16):

1. **Death During the Commission of Another Crime.** The death of Guy Jean Luck, and the injury resulting in the death of Guy Jean Luck, occurred during REJON TAYLOR'S commission and attempted commission of, and during his immediate flight from his commission of, an offense under Title 18, United States Code, Section 1201 (Kidnaping) [Title 18, United States Code, Section 3592(c)(1)].

2. **Grave Risk of Death to Additional Persons.** REJON TAYLOR, in the commission of the offenses (carjacking, firearms murder during and in relation to carjacking, kidnaping and firearms murder during and in relation to kidnaping), and in escaping apprehension for these offenses, knowingly created a grave risk of death to one or more persons in addition to Guy Jean Luck [Title 18, United States Code, Section 3592(c)(5)].

3. **Pecuniary Gain.** REJON TAYLOR committed the offense (carjacking, firearms murder during and in relation to carjacking, kidnaping and firearms murder during and in relation to kidnaping) as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value. [Title 18, United States Code, Section 3592(c)(8)].

4. **Substantial Planning and Premeditation.** REJON TAYLOR committed the offenses (carjacking, firearms murder during and in relation to carjacking, kidnaping and firearms murder during and in relation to kidnaping) after substantial planning and premeditation to cause the death of a person [Title 18, United States Code, Section 3592(c)(9)].

III. Non-Statutory Facts Under 18 U.S.C. §§ 3593(a) and (c):

A. Participation in Additional Uncharged Murders, Attempted Murders, or Other Serious Acts of Violence.

1. REJON TAYLOR attempted to escape from a detention facility in Chattanooga, Tennessee, on April 14, 2006, where he was awaiting trial in the instant case.

2. REJON TAYLOR, as part of his attempted escape, recruited other inmates to assist him in assaulting corrections officers at shift change in order to subdue them and steal their keys.

3. REJON TAYLOR, as part of his attempted escape, assaulted and caused bodily injury to at least one corrections officer who had to be hospitalized as a result of his injuries.

4. REJON TAYLOR, as part of his attempted escape, made or otherwise acquired weapons and then concealed these weapons to be used against corrections officers during the escape.

B. **Future Dangerousness.** REJON TAYLOR is likely to commit in the future criminal acts of violence that would be a continuing and serious threat to the lives and safety of other persons, including, but not limited to, inmates and correctional offenders in an institutional correctional setting, as evidenced by the offenses charged in the Indictment and the statutory and non-statutory aggravating factors alleged in this Notice. *Simmons v. South Carolina*, 114 S.Ct. 2187, 2193 (1994). In addition to the capital offenses charged in Counts One, Two, Three and Four of the Indictment and the statutory and non-statutory aggravating factors alleged in this Notice, the circumstances that demonstrate the defendant's future dangerousness include, but are not limited to:

1. REJON TAYLOR has failed to adapt his behavior to societal norms, thereby demonstrating a significantly low rehabilitative potential.

2. REJON TAYLOR has demonstrated a lack of remorse for his criminal conduct.

3. REJON TAYLOR has demonstrated that he is an escape risk, thereby warranting increased security classification for future incarceration.

C. **Victim Impact Evidence.** REJON TAYLOR caused injury, harm, and loss to Guy Luke, Guy Luke's family, Guy Luke's friends and employees as demonstrated by Guy Luke's personal characteristics as an individual human being and the impact of the death upon Guy Luke's loved ones. The United States will present information concerning the effect of the offenses on Guy Luke, his family, friends, and employees, which will include evidence and testimony that describes in detail the extent and scope of the injury and loss suffered by Guy Luke, his family and friends, and any other relevant information.

The United States further gives notice that in support of 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 Indictment as they relate to the background and character of REJON TAYLOR, his moral culpability, and the nature and circumstances of the offenses charged in the Indictment.

Respectfully submitted this 4th day of March, 2008.

/s/ James R. Dedrick
JAMES R. DEDRICK
United States Attorney

/s/ Steven S. Neff
STEVEN S. NEFF
Assistant U.S. Attorney

/s/ Christopher D. Poole
CHRISTOPHER D. POOLE
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing pleading has been served upon all parties at interest in this case or counsel for said parties via the U.S. District Court's Electronic Case Filing System.

This 4th day of March, 2008.

/s/ Christopher D. Poole
Christopher D. Poole
Assistant U.S. Attorney

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As required by 18 U.S.C. §§ 3593(a), (d), and (e) for Counts One, Two, Three and Four of the Indictment, the United States will introduce evidence establishing beyond a reasonable doubt:

- a. One or more of the statutory intent factors set forth by 18 U.S.C. §§ 3591(a)(2)(A)-(D); and

b. One or more of the statutory aggravating factors set forth by 18 U.S.C. §§3592(c)(1)-(16).

As permitted by 18 U.S.C. §§ 3593(a) and (d), the United States will also seek to prove certain non-statutory aggravating factors set forth in this notice. The United States believes that the circumstances of each charged offense are such that, if REJON TAYLOR is convicted, a sentence of death is justified under Chapter 228 of the Title 18 of the United States Code.

The United States will seek to prove the following factors as justifying a sentence of death as to Counts One and Two of the Indictment.

I. Statutory Intent Factors under 18 U.S.C. §§ 3591(a)(2)(A)-(D):

1. **Intentional Killing.** REJON TAYLOR intentionally killed Guy Jean Luck [Title 18, United States Code, Section 3591(a)(2)(A)];

2. **Intentional Infliction of Serious Bodily Injury.** REJON TAYLOR intentionally inflicted serious bodily injury that resulted in the death of Guy Jean Luck [Title 18, United States Code, Section 3591(a)(2)(B)];

3. **Intentional Act to Take Life or Use Lethal Force.** REJON TAYLOR intentionally participated in an act, contemplating that the life of Guy Jean Luck would be taken and intending that lethal force would be used in connection with Guy Jean Luck, who was not one of the participants in the offense, and Guy Jean Luck died as a direct result of the act [Title 18, United States Code, Section 3591(a)(2)(C)];

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constituted a reckless disregard for human life, and Guy Jean Luck died as a direct result of the act [Title 18, United States Code, Section 3591(a)(2)(D)].

II. Statutory Aggravating Facts under 18 U.S.C. §§ 3592(c)(1)-(16):

1. **Death During the Commission of Another Crime.** The death of Guy Jean Luck, and the injury resulting in the death of Guy Jean Luck, occurred during REJON TAYLOR'S commission and attempted commission of, and during his immediate flight from his commission of, an offense under Title 18, United States Code, Section 1201 (Kidnaping) [Title 18, United States Code, Section 3592(c)(1)].

2. **Grave Risk of Death to Additional Persons.** REJON TAYLOR, in the commission of the offenses (carjacking, firearms murder during and in relation to carjacking, kidnaping and firearms murder during and in relation to kidnaping), and in escaping apprehension for these offenses, knowingly created a grave risk of death to one or more persons in addition to Guy Jean Luck [Title 18, United States Code, Section 3592(c)(5)].

3. **Substantial Planning and Premeditation.** REJON TAYLOR committed the offenses (carjacking, firearms murder during and in relation to carjacking, kidnaping and firearms murder during and in relation to kidnaping) after substantial planning and premeditation to cause the death of a person [Title 18, United States Code, Section 3592(c)(9)].

III. Non-Statutory Facts Under 18 U.S.C. §§ 3593(a) and (c):

A. **Participation in Additional Uncharged Murders, Attempted Murders, or Other Serious Acts of Violence.**

1. REJON TAYLOR attempted to escape from a detention facility in Chattanooga, Tennessee, on April 14, 2006, where he was awaiting trial in the instant case.

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of REJON TAYLOR, his moral culpability, and the nature and circumstances of the offenses charged in the Indictment.

Respectfully submitted this 1st day of June, 2006.

/s/ James R. Dedrick

JAMES R. DEDRICK
Acting United States Attorney

/s/ Steven S. Neff

STEVEN S. NEFF
Assistant U.S. Attorney

/s/ Christopher D. Poole

CHRISTOPHER D. POOLE
Assistant U.S. Attorney

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The undersigned hereby certifies that a copy of the foregoing pleading has been served upon all parties at interest in this case or counsel for said parties via the U.S. District Court's Electronic Case Filing System.

This 1st day of June, 2006.

/s/ Steven S. Neff
Steven S. Neff
Assistant U.S. Attorney