

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE UNITED STATES OF AMERICA :
 :
 v. : **Criminal No. 05-100-02(RWR)**
 :
DAVID WILSON, :
 also known as Cool Wop, :
 also known as Cootie, :
 Defendant. :

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

Pursuant to the requirements of 18 U.S.C. § 3593(a), the United States hereby gives notice that it believes that the circumstances of this case are such that, in the event that the defendant **DAVID WILSON, aka Cool Wop, aka Cootie**, is convicted of the intentional killing of one or more of the following: Sabrina Bradley, Ronnie Middleton, and Trevon Shaw, in aid of racketeering activity in violation of Title 18 of the United States Code, Section 1959(a)(1), as charged in Counts Fifty-Three, Fifty-Five, and Seventy-Three of the May 30, 2006 Superseding Indictment, a sentence of death is justified, and that the United States will seek the death penalty with regard to these offenses.

COUNTS FIFTY-THREE AND FIFTY-FOUR

INTENTIONAL KILLING OF SABRINA BRADLEY AND RONNIE MIDDLETON

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

Pursuant to 18 U.S.C. § 3591(a)(2), the United States will rely on the following proportionality factors to establish the defendant's eligibility for the death penalty with regard to Counts Fifty-Three and Fifty-Five:

1. Intentional Acts to Take Life

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 Sabrina Bradley and Ronnie Middleton died as a direct result of that act. (18 U.S.C. § 3591(a)(2)(C)).

2. Acts of Violence with Reckless Disregard for Life

The defendant intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to persons, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Sabrina Bradley and Ronnie Middleton died as a direct result of the acts. (18 U.S.C. § 3591(a)(2)(D)).

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

Pursuant to 18 U.S.C. § 3592(c), the United States will rely on the following statutory aggravating factor as justifying a sentence of death with regard to Counts Fifty-Three and Fifty-Five:

1. Grave Risk of Death to Others

The defendant, in the commission of the offense, or in escaping apprehension for the violation of the offense, knowingly created a grave risk of death to 1 or more persons in addition to the victim of the offense. 18 U.S.C. § 3592(c)(5).

2. Substantial Planning and Premeditation.

The defendant committed the offense after substantial planning and premeditation to cause the death of a person or commit an act of terrorism. (18 U.S.C. § 3592(c)(9)).

3. **Multiple killings or Attempted Killings**

The defendant intentionally killed more than one person in a single criminal episode. (18 U.S.C. § 3592(c)(16)).

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

Pursuant to 18 U.S.C. § 3592(c), the United States will rely on the following non-statutory aggravating factors as justifying a sentence of death with regard to Counts Fifty-Three and Fifty-Five:

_____ 1. **Contemporaneous Convictions for Acts of Violence Charged in the Superseding Indictment.**

In addition to the capital offense charged in Counts Fifty-Three and Fifty-Five of the May 30, 2006 Superseding Indictment, the defendant engaged in a continuing pattern of criminal conduct. That pattern of criminal conduct includes the specific homicides, non-fatal shootings, and conspiracies charged in the May 30, 2006 Superseding Indictment. Each of the violent acts listed below serves as a non-statutory aggravating factor in the event of the defendant's conviction for the murders of Sabrina Bradley and Ronnie Middleton.

a. **Conspiracy to Murder Ronnie Middleton, aka Squid, and other Members and associates of the 1-5 Mob.** From on or about November 21, 1993 to on or about August 17, 1998 in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators did unlawfully, knowingly, and willfully combine, conspire, confederate, and agree together to murder Ronnie Middleton, aka Squid, Bradley Carter, and other members and associates of the 1-5 Mob. (Overt Act 4, 5, 6, 16, and 24, Racketeering Act 51).

b. **Assaults with Intent to Murder James Faison.** In or about late 1994 or early 1995, in or around the 1400 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 5). In or about late 1994 or early 1995, in or around the Robinson Place, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 6). In or about 1996, in or around Congress Place and Stanton Road, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and co-conspirators, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 8, Racketeering Act 53).

c. **Conspiracy to Murder Jack Davis and Devar Chandler, and other Members and associates of the 10th Place/Trenton Place Crew.** From in or about sometime in September 1996 to at least June 16, 1998 in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators did unlawfully, knowingly, and willfully combine, conspire, confederate, and agree together to murder Jack Davis, aka Twin, Devar M. Chandler, aka D-Lock, and other members and associates of the 10th Place/Trenton Place Crew. (Overt Acts 19, 20, 21, 22, and 23, Racketeering Act 55).

d. **Murder of Sabrina Bradley.** On or about August 17, 1998, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators, while armed with a firearm, purposely and with deliberate and premeditated malice, killed Sabrina Bradley, by shooting her with a firearm on or about August 17, 1998, thereby causing

injuries from which Sabrina Bradley died on or about August 17, 1998. (Overt Act 24, Racketeering Act 58, Counts 52 and 53).

e. **Murder of Ronnie Middleton.** On or about August 17, 1998, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators, while armed with a firearm, purposely and with deliberate and premeditated malice, killed Ronnie Middleton, by shooting him with a firearm on or about August 17, 1998, thereby causing injuries from which Ronnie Middleton died on or about August 17, 1998. (Overt Act 24, Racketeering Act 59, Counts 54 and 55).

f. **Assault with Intent to Murder Quentin Milstead.** On or about April 21, 2001, in the 1300 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, while armed with a firearm, assaulted Quentin Milstead with the intent to murder him. (Overt Act 85, Racketeering Act 62).

2. **Unadjudicated Murder not Charged in the Superseding Indictment.**

In addition to the acts of violence charged in the May 30, 2006 Superseding Indictment and described herein, **DAVID WILSON, aka Cool Wop, aka Cootie**, committed the following unadjudicated murder not charged in the May 30, 2006 Superseding Indictment, which serves as a non-statutory aggravating factor which we will seek to prove in the event of the defendant's conviction for the murder of Sabrina Bradley and Ronnie Middleton: **Murder of Sam Phillips.** On or about February 6, 2001, **DAVID WILSON, aka Cool Wop, aka Cootie**, while armed with a firearm, purposely and with deliberate and premeditated malice, killed Sam Phillips, by shooting him with a firearm on or about February 6, 2001, thereby causing injuries from which Sam Phillips died on or about February 6, 2001.

3. **Contemporaneous Convictions for Narcotics Trafficking.**

From in or about sometime in 1992 and continuing until at least March of 2005, as set forth in Count One of the May 30, 2006 Superseding Indictment, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators obtained, possessed with intent to distribute and distributed quantities of powder cocaine, cocaine base, also known as crack cocaine, which were subsequently distributed to members and associates of the enterprise and customers in the District of Columbia, the State of Maryland, the Commonwealth of Virginia, and elsewhere. Each of the separate drug offenses listed below serves as a non-statutory aggravating factor in the event of the defendant's conviction for the murders of Sabrina Bradley and Ronnie Middleton.

a. On or about May 16, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** and another co-conspirator knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 44, Racketeering Act 2, Count 3).

b. On or about May 25, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Acts 46 and 47, Racketeering Act 4, Count 5).

c. On or about June 28, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 49, Racketeering Act 6, Count 7).

d. In or about July 2000, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, burglarized a large scale marijuana dealer, who resided in Maryland, of numerous pounds of marijuana, and redistributed it for the purpose of enriching the organization and purchasing larger quantities of cocaine and cocaine base. (Overt Act 50).

e. On or about July 7, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 51, Racketeering Act 7, Count 8).

f. On or about October 17, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** and another co-conspirator knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 62, Racketeering Act 13, Count 14).

g. On or about January 24, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed five grams or more of a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 68, Racketeering Act 18, Count 19).

h. On or about February 14, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed five grams or more of a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 72, 73, and 74, Racketeering Act 21, Count 22).

i. On or about March 20, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and

substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 79, Racketeering Act 26, Count 27).

j. On or about April 5, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 83, Racketeering Act 30, Count 31).

k. On or about April 26, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 86, Racketeering Act 32, Count 33).

l. On or about June 5, 2005, in the District of Columbia Jail, with the District of Columbia, a co-conspirator attempted to distribute a quantity of a mixture and substance containing a detectable amount of heroin to **DAVID WILSON, aka Cool Wop, aka Cootie**. (Overt Act 138).

4. **Contemporaneous Convictions for Firearms Offenses**

The defendant possessed a firearm during each of the acts of violence set forth as aggravating factors in this Notice.

5. **Obstruction of Justice**

On or about August or September 1998, in or about the 1300 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, directed a co-conspirator to provide law enforcement with a false alibi as to **WILSON's** whereabouts at the time of the murder of Sabrina Bradley and Ronnie Middleton, aka Squid. (Overt Act 25).

6. Leadership Role

From on or about sometime in 1992 and continuing until sometime in 2005, **DAVID WILSON, aka Cool Wop, aka Cootie**, maintained a leadership role in the organization, management and administration of the enterprise.

7. Future Dangerousness of the Defendant

The defendant represents a continuing danger to the lives and safety of other persons. The defendant is likely to commit criminal acts of violence in the future that would constitute a continuing and serious threat to the lives and safety of others, as evidenced by, at least, one or more of the following:

a. Continuing Pattern of Violence

The defendant has engaged in a continuing pattern of violence, attempted violence, and threatened violence, including, at least, the crimes alleged against defendant in the Indictment.

b. Low Rehabilitative Potential

The defendant has demonstrated a low potential for rehabilitation as evidenced by his longstanding involvement in criminal activities, including drug trafficking and violence, leading up to the capital offenses charged in the Indictment.

c. Leadership Role in a Criminal Street Gang

The defendant has demonstrated an allegiance to and a leadership role in the Congress Park Crew, an organization falling within the definition of criminal street gangs set forth in 18 U.S.C. § 521(a).

8. Victim Impact Evidence

As reflected by the victims' personal characteristics as human beings and the impact of the offense on the victims and the victims' families, the defendant caused loss, injury, and harm to the victims and the victims' families, see Payne v. Tennessee, 501 U.S. 808, 825-827 (1991), including, but not limited to, the following:

a. Characteristics of Victims

(i) The defendant caused the death of Sabrina Bradley, who enjoyed a strong relationship with her family.

(ii) The defendant caused the death of Ronnie Middleton, who enjoyed a strong relationship with his family.

(ii) The defendant caused the death of Sam Phillips, who enjoyed a strong relationship with his family.

(iv) The defendant caused the death of Trevon Shaw, who enjoyed a strong relationship with his family.

b. Impact of the offense on the families of the victims

The victims' families have suffered severe and irreparable harm.

The Government further gives notice that in support of imposition of the death penalty on Counts 53 and 54, 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 the defendant, his moral culpability, and the nature and circumstances of the offenses charged in the Indictment.

COUNT SEVENTY-THREE

INTENTIONAL KILLING OF TREVON SHAW

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

Pursuant to 18 U.S.C. § 3591(a)(2), the United States will rely on the following proportionality factors to establish the defendant's eligibility for the death penalty with regard to Count Seventy-Three:

1. **Intentional Killing**

The defendant intentionally killed Trevon Shaw. (18 U.S.C. § 3591(a)(2)(A)).

2. **Intentional Infliction of Serious Bodily Injury**

The defendant intentionally inflicted serious bodily injury that resulted in the death of Trevon Shaw. (18 U.S.C. § 3591(a)(2)(B)).

3. **Intentional Acts to Take Life**

The defendant intentionally participated in acts, contemplating that the lives of people would be taken or intending that lethal force would be used in connection with people, other than one of the participants in the offense, and Trevon Shaw died as a direct result of those acts. (18 U.S.C. § 3591(a)(2)(C)).

4. **Acts of Violence with Reckless Disregard for Life**

The defendant intentionally and specifically engaged in acts of violence, knowing that the acts created grave risks of death to persons, other than one of the participants in the offense, such that participation in the acts constituted a reckless disregard for human life and Trevon Shaw died as a direct result of the acts. (18 U.S.C. § 3591(a)(2)(D)).

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

Pursuant to 18 U.S.C. § 3592(c), the United States will rely on the following statutory aggravating factor as justifying a sentence of death with regard to Count Seventy-Three:

1. **Substantial Planning and Premeditation.**

The defendant committed the offense after substantial planning and premeditation to cause the death of a person or commit an act of terrorism. (18 U.S.C. § 3592(c)(9)).

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

Pursuant to 18 U.S.C. § 3592(c), the United States will rely on the following non-statutory aggravating factors as justifying a sentence of death with regard to Count Seventy-Three:

_____ 1. **Contemporaneous Convictions for Acts of Violence Charged in
the Superseding Indictment.**

In addition to the capital offense charged in Count Seventy-Three of the May 30, 2006 Superseding Indictment, the defendant engaged in a continuing pattern of criminal conduct. That pattern of criminal conduct includes the specific homicides, non-fatal shootings, and conspiracies charged in the May 30, 2006 Superseding Indictment. Each of the violent acts listed below serves as a non-statutory aggravating factor in the event of the defendant's conviction for the murder of Trevon Shaw.

a. **Conspiracy to Murder Ronnie Middleton, aka Squid, and other Members and associates of the 1-5 Mob.** From on or about November 21, 1993 to on or about August 17, 1998 in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie,** and other co-conspirators did unlawfully, knowingly, and willfully combine, conspire, confederate,

and agree together to murder Ronnie Middleton, aka Squid, Bradley Carter, and other members and associates of the 1-5 Mob. (Overt Act 4, 5, 6, 16, and 24, Racketeering Act 51).

b. **Assaults with Intent to Murder James Faison.** In or about late 1994 or early 1995, in or around the 1400 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 5). In or about late 1994 or early 1995, in or around the Robinson Place, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 6). In or about 1996, in or around Congress Place and Stanton Road, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and co-conspirators, while armed with firearms, assaulted James Faison with the intent to murder him. (Overt Act 8, Racketeering Act 53).

c. **Conspiracy to Murder Jack Davis and Devar Chandler, and other Members and associates of the 10th Place/Trenton Place Crew.** From in or about sometime in September 1996 to at least June 16, 1998 in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators did unlawfully, knowingly, and willfully combine, conspire, confederate, and agree together to murder Jack Davis, aka Twin, Devar M. Chandler, aka D-Lock, and other members and associates of the 10th Place/Trenton Place Crew. (Overt Acts 19, 20, 21, 22, and 23, Racketeering Act 55).

d. **Murder of Sabrina Bradley.** On or about August 17, 1998, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators, while armed with a firearm, purposely and with deliberate and premeditated malice,

killed Sabrina Bradley, by shooting her with a firearm on or about August 17, 1998, thereby causing injuries from which Sabrina Bradley died on or about August 17, 1998. (Overt Act 24, Racketeering Act 58, Counts 52 and 53).

e. **Murder of Ronnie Middleton.** On or about August 17, 1998, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators, while armed with a firearm, purposely and with deliberate and premeditated malice, killed Ronnie Middleton, by shooting him with a firearm on or about August 17, 1998, thereby causing injuries from which Ronnie Middleton died on or about August 17, 1998. (Overt Act 24, Racketeering Act 59, Counts 54 and 55).

f. **Assault with Intent to Murder Quentin Milstead.** On or about April 21, 2001, in the 1300 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, while armed with a firearm, assaulted Quentin Milstead with the intent to murder him. (Overt Act 85, Racketeering Act 62).

2. **Unadjudicated Murder not Charged in the Superseding Indictment.**

In addition to the acts of violence charged in the May 30, 2006 Superseding Indictment and described herein, **DAVID WILSON, aka Cool Wop, aka Cootie**, committed the following unadjudicated murder not charged in the May 30, 2006 Superseding Indictment, which serves as a non-statutory aggravating factor which we will seek to prove in the event of the defendant's conviction for the murder of Trevon Shaw: **Murder of Sam Phillips.** On or about February 6, 2001, **DAVID WILSON, aka Cool Wop, aka Cootie**, while armed with a firearm, purposely and with deliberate and premeditated malice, killed Sam Phillips, by shooting him with

a firearm on or about February 6, 2001, thereby causing injuries from which Sam Phillips died on or about February 6, 2001.

3. **Contemporaneous Convictions for Narcotics Trafficking.**

From in or about sometime in 1992 and continuing until at least March of 2005, as set forth in Count One of the May 30, 2006 Superseding Indictment, **DAVID WILSON, aka Cool Wop, aka Cootie**, and other co-conspirators obtained, possessed with intent to distribute and distributed quantities of powder cocaine, cocaine base, also known as crack cocaine, which were subsequently distributed to members and associates of the enterprise and customers in the District of Columbia, the State of Maryland, the Commonwealth of Virginia, and elsewhere. Each of the separate drug offenses listed below serves as a non-statutory aggravating factor in the event of the defendant's conviction for the murder of Trevon Shaw.

a. On or about May 16, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** and another co-conspirator knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 44, Racketeering Act 2, Count 3).

b. On or about May 25, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Acts 46 and 47, Racketeering Act 4, Count 5).

c. On or about June 28, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and

substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 49, Racketeering Act 6, Count 7).

d. In or about July 2000, **DAVID WILSON, aka Cool Wop, aka Cootie**, and a co-conspirator, burglarized a large scale marijuana dealer, who resided in Maryland, of numerous pounds of marijuana, and redistributed it for the purpose of enriching the organization and purchasing larger quantities of cocaine and cocaine base. (Overt Act 50).

e. On or about July 7, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 51, Racketeering Act 7, Count 8).

f. On or about October 17, 2000, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** and another co-conspirator knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 62, Racketeering Act 13, Count 14).

g. On or about January 24, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed five grams or more of a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 68, Racketeering Act 18, Count 19).

h. On or about February 14, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie** knowingly and intentionally distributed five grams or more of a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 72, 73, and 74, Racketeering Act 21, Count 22).

i. On or about March 20, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 79, Racketeering Act 26, Count 27).

j. On or about April 5, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 83, Racketeering Act 30, Count 31).

k. On or about April 26, 2001, in Washington, D.C., **DAVID WILSON, aka Cool Wop, aka Cootie**, knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base, also known as crack cocaine. (Overt Act 86, Racketeering Act 32, Count 33).

l. On or about June 5, 2005, in the District of Columbia Jail, with the District of Columbia, a co-conspirator attempted to distribute a quantity of a mixture and substance containing a detectable amount of heroin to **DAVID WILSON, aka Cool Wop, aka Cootie**. (Overt Act 138).

4. **Contemporaneous Convictions for Firearms Offenses**

The defendant possessed a firearm during each of the acts of violence set forth as aggravating factors in this Notice.

5. **Obstruction of Justice**

On or about August or September 1998, in or about the 1300 block of Congress Street, SE, in the District of Columbia, **DAVID WILSON, aka Cool Wop, aka Cootie**, directed a co-

conspirator to provide law enforcement with a false alibi as to **WILSON's** whereabouts at the time of the murder of Sabrina Bradley and Ronnie Middleton, aka Squid. (Overt Act 25).

6. **Leadership Role**

From on or about sometime in 1992 and continuing until sometime in 2005, **DAVID WILSON, aka Cool Wop, aka Cootie**, maintained a leadership role in the organization, management and administration of the enterprise.

7. **Future Dangerousness of the Defendant**

The defendant represents a continuing danger to the lives and safety of other persons. The defendant is likely to commit criminal acts of violence in the future that would constitute a continuing and serious threat to the lives and safety of others, as evidenced by, at least, one or more of the following:

a. Continuing Pattern of Violence

The defendant has engaged in a continuing pattern of violence, attempted violence, and threatened violence, including, at least, the crimes alleged against defendant in the Indictment.

b. Low Rehabilitative Potential

The defendant has demonstrated a low potential for rehabilitation as evidenced by his longstanding involvement in criminal activities, including drug trafficking and violence, leading up to the capital offenses charged in the Indictment.

c. Leadership Role in a Criminal Street Gang

The defendant has demonstrated an allegiance to and a leadership role in the Congress Park Crew, an organization falling within the definition of criminal street gangs set forth in 18 U.S.C. § 521(a).

8. **Victim Impact Evidence**

As reflected by the victims' personal characteristics as human beings and the impact of the offense on the victims and the victims' families, the defendant caused loss, injury, and harm to the victims and the victims' families, see Payne v. Tennessee, 501 U.S. 808, 825-827 (1991), including, but not limited to, the following:

a. Characteristics of Victims

(i) The defendant caused the death of Sabrina Bradley, who enjoyed a strong relationship with her family.

(ii) The defendant caused the death of Ronnie Middleton, who enjoyed a strong relationship with his family.

(ii) The defendant caused the death of Sam Phillips, who enjoyed a strong relationship with his family.

(iv) The defendant caused the death of Trevon Shaw, who enjoyed a strong relationship with his family.

b. Impact of the offense on the families of the victims

The victims' families have suffered severe and irreparable harm.

The Government further gives notice that in support of imposition of the death penalty on Count Seventy-Three, 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 the defendant, his moral culpability, and the nature and circumstances of the offenses charged in the Indictment.

Respectfully submitted,

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