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9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,) No. CR 99-84(A)-AHM
12)
12 Plaintiff,) GOVERNMENT'S NOTICE OF INTENT
13) TO SEEK THE DEATH PENALTY
13 v.) AGAINST DEFENDANT CHARLES
14) WOODY
14 CHARLES WOODY, aka CHACHO,)
5)
5 Defendant.)
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NOTICE OF INTENT TO SEEK THE DEATH PENALTY

17 The United States of America, pursuant to 18 U.S.C.
18 § 3593(a), notifies the Court and defendant CHARLES WOODY, aka
19 CHACHO, that the Government believes the circumstances of the
20 offenses charged in Counts Five and Twelve of the First
21 Superseding Indictment are such that, in the event of a
22 conviction, a sentence of death is justified under Chapter 228
23 (Sections 3591 through 3598) of Title 18 of the United States
4 Code, and that the Government will seek the sentence of death for
the following offenses: the murder of Victor Murillo in aid of
acketeering and through the use of a firearm, in violation of
7 Title 18, United States Code, Sections 1959(a)(1) [Count Five]
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1 and 924(c), (j) [Count Twelve], each of which carries a possible
2 sentence of death.

3 The Government proposes to prove the following factors as
4 justifying a sentence of death as to these Counts.

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

7 1. **Intentional Killing.** The defendant intentionally
8 killed Victor Murillo. Section 3591(a) (2) (A).

9 2. **Intentional Infliction of Serious Bodily Injury.**
10 The defendant intentionally inflicted serious bodily injury that
11 resulted in the death of Victor Murillo. Section 3591(a) (2) (B).

12 3. **Intentional Acts to Take Life or Use Lethal Force.**
13 The defendant intentionally participated in an act, contemplating
14 that the life of a person would be taken or intending that lethal
15 force would be used in connection with a person, other than one
16 of the participants in the offense, and Victor Murillo died as a
17 direct result of the act. Section 3591(a) (2) (C).

18 4. **Intentionally Engaging in Act of Violence**
19 **Knowingly Creating Grave Risk of Death**
20 The defendant intentionally and specifically engaged in an act of
21 violence, knowing that the act created a grave risk of death to a
22 person, other than one of the participants in the offense, such
23 that participation in the act constituted a reckless disregard
24 for human life, and Victor Murillo died as a direct result of the
25 act. Section 3591(a) (2) (D).

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1 B. Statutory Aggravating Factors Enumerated under 18

2 U.S.C. § 3592(c).

3 The following statutory aggravating factors apply to each of
4 Counts 5 and 12:

5 1. **Grave Risk of Death to Additional Persons.**

6 The defendant in the commission of the murder of Victor Murillo
7 knowingly created a grave risk of death to one or more persons in
8 addition to Victor Murillo. Section 3592(c)(5).

9 2. **Substantial Planning and Premeditation.**

10 The defendant committed the offense after substantial planning
11 and premeditation to cause the death of Victor Murillo. Section
12 3592(c)(9).

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

15 1. **Future Dangerousness of the Defendant.**

16 The defendant is likely to commit criminal acts of violence in
17 the future which would be a continuing and serious threat to
18 society. The defendant has committed, attempted to commit, and
19 threatened to commit other acts of violence, and acts reflecting
20 future dangerousness, including the capital and non-capital
21 offense charged in the First Superseding Indictment and
22 aggravating factors alleged in this notice, and also including
23 but not limited to, the following:

24 (1) Over an extended period of time, defendant conspired to
25 murder Mariano Martinez, aka Chuy as alleged in Count 6 of the
26 First Superseding Indictment.

1 (2) On or about February 27, 1996, defendant was
2 responsible for the murder of Caesar Valdenegro, aka Puppet.

3 (3) On or about September 1, 1997, defendant was
4 responsible for the murder of Joel Antonio Diaz, aka Tony.


5 (4) On or about January 25, 1998, defendant was responsible
6 for the murder of Paul A. Perez, aka Paulie.

7 DATE: August 23, 1999

Respectfully submitted,

8 ALEJANDRO N. MAYORKAS
9 United States Attorney

10 GEORGE S. CARDONA
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12 Chief, Criminal Division

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14 DANIEL LEVIN
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1 CERTIFICATE OF SERVICE BY MAIL

2 I, JEAN ROBERTS, declare:

3 That I am a citizen of the United States and resident or employed
4 in Los Angeles County, California; that my business address is
5 Office of United States Attorney, United States Courthouse, 312
6 North Spring Street, Los Angeles, California 90012; that I am over
7 the age of eighteen years, and am not a party to the above-entitled
8 action;

9 That I am employed by the United States Attorney for the
10 Central District of California who is a member of the Bar of the
11 United States District Court for the Central District of California,
12 at whose direction the service by mail described in this Certificate
13 was made; that on August 23, 1999, I deposited in the United States
14 mails in the United States Courthouse at 312 North Spring Street,
15 Los Angeles, California, in the above-entitled action, in a
16 envelope bearing the requisite postage, a copy:

17 GOVERNMENT'S NOTICE OF INTENT TO SEEK THE DEATH PENALTY AGAINST
18 DEFENDANT CHARLES WOODY

19 addressed: **SEE ATTACHED LIST**

20
21 at his/her/their known address, at which place there is a
22 delivery service by United States mail.

23 This Certificate is executed on August 23, 1999, at Los
24 Angeles, California.

25 I certify under penalty of perjury that the foregoing is
26 true and correct.

27 
JEAN ROBERTS

UNITED STATES v. JESSE DETEVIS, et al., CR 99-84-AHM

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