

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 16-CR-20460

v.

HON. MARK A. GOLDSMITH

D-1 EDWIN MILLS  
D-2 CARLO WILSON

**NOTICE OF INTENT TO SEEK A SENTENCE OF DEATH**

The United States of America, by its attorneys, Matthew Schneider, United States Attorney, and Louis Crisostomo and Brant Cook, Assistant United States Attorneys, pursuant to Title 18, United States Code, Section 3593(a), hereby notifies the Court and defendants Edwin Mills and Carlo Wilson that, in the above-captioned case, the government believes that the circumstances of the offenses charged in Counts Eight, Nine, Ten, and Eleven of the Second Superseding Indictment are such that, if Edwin Mills and/or Carlo Wilson are convicted of committing any one, combination of, or all of these 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 a sentence of death on each and all of these offenses.

The offenses charged in Counts Eight, Nine, Ten, and Eleven of the Second Superseding Indictment are the following:

**Count Eight:** Murder in Aid of Racketeering of A.T., in violation of Title 18, United States Code, Sections 1959(a)(1) and 2;

**Count Nine:** Using and Carrying a Firearm During and in Relation to a Crime of Violence Causing Death of A.T., in violation of Title 18, United States Code, Sections 924(c), 924(j), and 2;

**Count Ten:** Murder in Aid of Racketeering of S.H., in violation of Title 18, United States Code, Sections 1959(a)(1) and 2; and

**Count Eleven:** Using and Carrying a Firearm During and in Relation to a Crime of Violence Causing Death of S.H., in violation of Title 18, United States Code, Sections 924(c), 924(j), and 2.

**I. Edwin Mills**

If Edwin Mills is convicted, the government proposes to prove the following statutory factors, pursuant to Title 18, United States Code, Sections 3591(a) and 3592(c), as charged in the Second Superseding Indictment's Notice of Special Findings, hereby incorporated by reference, and non-statutory factors, pursuant to Title 18, United States Code, Sections 3593(a), as justifying a sentence of death.

**A. Statutory Proportionality Factors Under Title 18, United States Code, Section 3591(a)**

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. Mills was 18 years of age or older at the time of the offenses (Title 18, United States Code, Section 3591(a));
2. Mills intentionally killed A.T. and S.H. (Title 18, United States Code, Section 3591(a)(2)(A));
3. Mills intentionally inflicted serious bodily injury that resulted in the deaths of A.T. and S.H. (Title 18, United States Code, Section 3591(a)(2)(B));
4. Mills 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 offenses, and A.T. and S.H. died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)); and
5. Mills 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 offenses, such that participation in the act constituted a reckless disregard for human life and A.T. and S.H. died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(D)).

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

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. **Grave risk of death to additional persons.** Mills, in the commission of the offenses, knowingly created a grave risk of death to 1 or more persons in addition to A.T. and S.H. (Title 18, United States Code, Section 3592(c)(5));
2. **Substantial planning and premeditation.** Mills committed the offenses after substantial planning and premeditation to cause the death of a person (Title 18, United States Code, Section 3592(c)(9));
3. **Vulnerability of victim.** A.T. was particularly vulnerable due to youth (Title 18, United States Code, Section 3592(c)(11)); and
4. **Multiple killings or attempted killings.** Mills intentionally killed and attempted to kill more than one person in a single criminal episode (Title 18, United States Code, Section 3592(c)(16)).

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

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. **Criminal street gang participation.** Mills, in the commission of the offenses, participated in “6 Mile Chedda Grove,” a criminal street gang, as defined in Title 18, United States Code, Section 521(a), with knowledge that its members engage in or have engaged in a continuing series of offenses, as described in Title 18, United States Code, Section 521(c); and intended to promote or further the felonious activities of the criminal street gang or maintain or increase his position in the gang; and
2. **Victim impact evidence.** The effect of the offenses on A.T. and the family of A.T., and on S.H. and the family of S.H., through oral testimony, victim impact statements, and other relevant information.

The government further gives notice that in support of a sentence of death, the government intends to rely upon all of the evidence admitted by the Court during the guilt phase of the trial and upon the offenses of conviction as described in the Second Superseding Indictment as they relate to the background and character of Mills, his moral culpability, and the nature and circumstances of Counts Eight, Nine, Ten, and Eleven of the Second Superseding Indictment.

## **II. Carlo Wilson**

If Carlo Wilson is convicted, the government proposes to prove the following statutory factors, pursuant to Title 18, United States Code, Sections 3591(a) and 3592(c), as charged in the Second Superseding Indictment's Notice of Special Findings, hereby incorporated by reference, and non-statutory factors, pursuant to Title 18, United States Code, Sections 3593(a), as justifying a sentence of death.

**A. Statutory Proportionality Factors Under Title 18, United States Code, Section 3591(a)**

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. Wilson was 18 years of age or older at the time of the offenses (Title 18, United States Code, Section 3591(a));
2. Wilson intentionally killed A.T. and S.H. (Title 18, United States Code, Section 3591(a)(2)(A));
3. Wilson intentionally inflicted serious bodily injury that resulted in the deaths of A.T. and S.H. (Title 18, United States Code, Section 3591(a)(2)(B));
4. Wilson 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

offenses, and A.T. and S.H. died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(C)); and

5. Wilson 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 offenses, such that participation in the act constituted a reckless disregard for human life and A.T. and S.H. died as a direct result of the act (Title 18, United States Code, Section 3591(a)(2)(D)).

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

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. **Grave risk of death to additional persons.** Wilson, in the commission of the offenses, knowingly created a grave risk of death to 1 or more persons in addition to A.T. and S.H. (Title 18, United States Code, Section 3592(c)(5));
2. **Substantial planning and premeditation.** Wilson committed the offenses after substantial planning and premeditation to cause the death of a person (Title 18, United States Code, Section 3592(c)(9));

3. **Vulnerability of victim.** A.T. was particularly vulnerable due to youth (Title 18, United States Code, Section 3592(c)(11)); and
4. **Multiple killings or attempted killings.** Wilson intentionally killed and attempted to kill more than one person in a single criminal episode (Title 18, United States Code, Section 3592(c)(16)).

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

With regard to Counts Eight, Nine, Ten, and Eleven, the government proposes to prove:

1. **Criminal street gang participation.** Wilson, in the commission of the offenses, participated in “6 Mile Chedda Grove,” a criminal street gang, as defined in Title 18, United States Code, Section 521(a), with knowledge that its members engage in or have engaged in a continuing series of offenses, as described in Title 18, United States Code, Section 521(c); and intended to promote or further the felonious activities of the criminal street gang or maintain or increase his position in the gang; and
2. **Victim impact evidence.** The effect of the offenses on A.T. and the family of A.T., and on S.H. and the family of S.H., through oral testimony, victim impact statements, and other relevant information.



The government further gives notice that in support of a sentence of death, the government intends to rely upon all of the evidence admitted by the Court during the guilt phase of the trial and upon the offenses of conviction as described in the Second Superseding Indictment as they relate to the background and character of Wilson, his moral culpability, and the nature and circumstances of Counts Eight, Nine, Ten, and Eleven of the Second Superseding Indictment.

Respectfully submitted,

MATTHEW SCHNEIDER  
United States Attorney

s/ Louis Crisostomo  
LOUIS CRISOSTOMO  
BRANT COOK  
Assistant United States Attorneys  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226  
(313) 226-9100  
Louis.Crisostomo@usdoj.gov  
IL 6288094

DATED: March 1, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, for uploading and service by electronic notice to counsel and parties authorized to receive electronically Notices of Electronic Filing.

/s Louis Crisostomo  
LOUIS CRISOSTOMO  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226  
(313) 226-9100  
Louis.Crisostomo@usdoj.gov  
IL 6288094