

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 6:17-cr-15-Orl-37KRS

JARVIS WAYNE MADISON

NOTICE OF INTENT TO SEEK
THE DEATH PENALTY

The United States of America, pursuant to 18 U.S.C. § 3593(a), notifies the Court and Defendant JARVIS WAYNE MADISON that the United States believes the circumstances of the offense charged in Count One of the Indictment are such that, in the event of a 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 this offense: interstate kidnapping resulting in death.

The United States proposes to prove the following factors as justifying a sentence of death with regard to Count One:

- (A) JARVIS WAYNE MADISON was 18 years of age or older at the time of the offense.
- (B) Statutory Threshold Factors Enumerated under 18 U.S.C. § 3592(a)(2)(A)-(D).

- (1) Intentional Killing. JARVIS WAYNE MADISON intentionally killed R.M. 18 U.S.C. § 3591(a)(2)(A).
- (2) Intentional Infliction of Serious Bodily Injury. JARVIS WAYNE MADISON intentionally inflicted serious bodily injury that resulted in the death of R.M. 18 U.S.C. § 3591(a)(2)(B).
- (3) Intentional Participation in Acts Resulting in Death. JARVIS WAYNE MADISON intentionally participated in an act, contemplating that the life of a person would be taken and intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and R.M. died as a direct result of such action. 18 U.S.C. § 3591(a)(2)(C).
- (4) Intentional Engagement in Acts of Violence, Knowing that the Acts Created a Grave Risk of Death to a Person. JARVIS WAYNE MADISON 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 offense, such that participation in the act constituted a reckless disregard for human life and R.M. died as a direct result of such action. 18 U.S.C. § 3591(a)(2)(D).

- (C) Statutory Aggravating Factors Enumerated under 18 U.S.C. § 3592(c).
 - (1) Death During Commission of Another Crime. The death of R.M., or injury resulting in death of R.M., occurred during the commission or attempted commission of, or during the immediate flight from the commission of, an offense under section 1201 (kidnapping). 18 U.S.C. § 3592(c)(1).

- (D) Non-Statutory Aggravating Factors Identified under 18 U.S.C. § 3593(a)(2).
 - (1) Victim Impact. JARVIS WAYNE MADISON caused injury, harm, and loss to R.M. as well as to her family and friends. The injury, harm, and loss caused by JARVIS WAYNE MADISON is evidenced by the victim's personal characteristics and by the impact of the victim's death upon her family and friends.

(2) Pattern of Domestic Abuse. JARVIS WAYNE MADISON has engaged in a pattern of domestic abuse, including physical and emotional abuse, against women, including R.M..

Dated: December 19, 2017

Respectfully submitted,

W. STEPHEN MULDROW
Acting United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2017, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

D. Todd Doss, Esquire.
Larry B. Henderson, Esquire.
Steven H. Malone, Esquire.

/s/ Vincent S. Chiu

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