

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**UNITED STATES OF AMERICA,** )  
 )  
 Plaintiff, )  
 )  
 v. )  
 ) **Criminal No. 1:17-cr-00039**  
 **RUBEN LAUREL and** )  
 **MICHAEL A. OWLE,** )  
 )  
 Defendants. )

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**NOTICE OF INTENT TO SEEK THE DEATH PENALTY  
AGAINST MICHAEL A. OWLE**

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Comes now the United States of America, by and through undersigned counsel, and pursuant to Title 18, United States Code, Section 3593(a), notifies the Court and the defendant, Michael A. Owle, that in the event he is convicted of premeditated murder as charged in the Superseding Indictment, the United States believes that the circumstances of the offense are such that a sentence of death is justified, and the United States will seek a sentence of death.

The United States proposes to prove the following factors as justifying a sentence of death against Michael A. Owle.

A. Threshold Intent Factors Enumerated Under title 18, United States Code, Section 3591

1. **MICHAEL A. OWLE** intentionally killed Anthony M. Dallas. [18 U.S.C. §3591(a)(2)(A)];
2. **MICHAEL A. OWLE** intentionally inflicted serious bodily injury that resulted in the death of Anthony M. Dallas. [18 U.S.C. §3591(a)(2)(B)];

3. **MICHAEL A. OWLE** 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 Anthony M. Dallas died as a direct result of the act. [18 U.S.C. §3591(a)(2)(C)];
4. **MICHAEL A. OWLE** 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 Anthony M. Dallas died as a direct result of the act. [18 U.S.C. §3591(a)(2)(D)].

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

1. **MICHAEL A. OWLE** has previously been convicted of a Federal or State offense punishable by a term of imprisonment of more than 1 year, involving the use or attempted or threatened use of a firearm (as defined in 18 U.S.C. §921) against another person. [18 U.S.C. §3592(c)(2)];
2. **MICHAEL A. OWLE** has previously been convicted of 2 or more Federal or State offenses, punishable by a term of imprisonment of more than 1 year, committed on different occasions, involving the infliction of, or attempted infliction of, serious bodily injury or death upon another person. [18 U.S.C. §3592(c)(4)];
3. **MICHAEL A. OWLE**, 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)];

4. **MICHAEL A. OWLE** committed the offense in an especially heinous, cruel, or depraved manner in that it involved torture or serious physical abuse to the victim. [18 U.S.C. §3592(c)(6)]; and
5. **MICHAEL A. OWLE** 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. Non-Statutory Aggravating Factors

1. Future Dangerousness. The defendant, **MICHAEL A. OWLE**, is a continuing danger to the lives and safety of other persons, and he is likely to commit criminal acts of violence in the future as evidenced by his history of violent conduct.
2. Victim Impact. **MICHAEL A. OWLE** caused injury, harm, and loss to Anthony M. Dallas as well as to his family and friends. The injury, harm, and loss caused by **MICHAEL A. OWLE** is evidenced by the victim's personal characteristics and by the impact of the victim's death upon his family and friends.

Dated this 2nd day of May, 2018:

Respectfully submitted,  
William J. Powell  
United States Attorney

By: /s/ Stephen L. Vogrin  
Stephen L. Vogrin  
Assistant United States Attorney/Bar Number: 8018  
Robert H. McWilliams, Jr.  
Assistant United States Attorney/Bar Number: 2513  
United States Attorney's Office  
1125 Chapline Street, Suite 3000  
Wheeling, West Virginia 26003  
Telephone: (304) 234-0100

**CERTIFICATE OF SERVICE**

I, Stephen L. Vogrin, Assistant United States Attorney, for the Northern District of West Virginia, hereby certify that I electronically hereby certify I electronically filed the NOTICE OF INTENT TO SEEK THE DEATH PENALTY AGAINST MICHAEL A. OWLE with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

**Jay T. McCamic, Esq.**  
**56-58 Fourteenth Street**  
**Wheeling, WV 26003**  
**jtmccamic@mspmlaw.com**

**Jack Tinney, Jr.**  
**214 Capital Street**  
**Charleston, WV 25301**  
**jtinney@handl.com**

Dated: May 2, 2018

By: /s/ Stephen L. Vogrin  
Stephen L. Vogrin  
Assistant United States Attorney/Bar Number: 8018  
United States Attorney's Office  
1125 Chapline Street, Suite 3000  
Wheeling, West Virginia 26003  
Telephone: (304) 234-0100  
Fax: (304) 234-0111  
E-mail: Stephen.Vogrin@usdoj.gov