

DEFENDANT'S ACCEPTANCE

I have read or had read to me each of the seven (7) pages of this plea agreement and have discussed this plea agreement with my attorney. I fully understand this agreement and agree to it without reservation. I do this voluntarily and of my own free will, intending to be legally bound. No threats have been made to me, nor am I under the influence of anything that could impede my ability to understand this agreement fully. I am pleading guilty because I am in fact guilty of the offenses set forth herein.

I reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to plead guilty except those set forth in this plea agreement. I am satisfied with the legal services provided by my attorney in connection with this plea agreement and matters related to it.

Date: 9/16/13

Muquan Cawthorne
Muquan Cawthorne

ATTORNEY'S ACKNOWLEDGMENT

I have read each of the seven (7) pages of this plea agreement, fully reviewed them with my client, Muquan Cawthorne, and fully discussed the provisions of the agreement with my client. These pages accurately and completely set forth the entire plea agreement.

Date: 9/16/13

James Williams
James Williams

Attorney for Muquan Cawthorne

PROFFER OF FACTS

On or about November 16 and 17, 2012, defendant Muquan Cawthorne, also known as "Squirrel," agreed to commit robberies with Isaiah "Cockstrong" Gant, Deon "J.R." Jefferson, Gary "Gator" Maye, Chavez "Vez" Myers, Tyrell "Huntwood" Smith, Immanuel "Man Man" Swann, Greg "Scrape" Whittaker, and two juveniles with the initials D.T. and A.W. (collectively hereinafter "the defendants" or "codefendants"). The agreement was to commit robberies in and around the Gallery Place/Chinatown and Adams-Morgan neighborhoods of Washington, DC, and the goal of the agreement was to rob people of their iPhones and other personal items. Each of the defendants willingly entered into the agreement and was fully aware that the agreement was to commit robberies that night.

Shortly after midnight on November 17, 2012, Olijawon Griffin approached Cawthorne and his codefendants in front of the McDonald's located at 2481 18th St. NW in Washington, DC. Mr. Griffin was wearing a black Helly Hansen jacket with two horizontal, reflective white

stripes. Mr. Griffin asked the defendants if they had any marijuana to sell him. When one of them responded yes, Mr. Griffin briefly went inside the McDonald's. While he was inside, the defendants agreed to rob Mr. Griffin of his jacket, and Cawthorne heard this discussion. All of the defendants knew that there was going to be a robbery and agreed, tacitly or explicitly, to participate.

When Mr. Griffin returned outside, the defendants walked to Lanier Place, a street that is adjacent to the Exxon gas station located at 1827 Adams Mill Road NW in Washington, DC. On the way there, Cawthorne, who had been carrying a loaded semiautomatic pistol most of the night, handed that gun to Maye. Mr. Griffin, Maye, Jefferson, and Cawthorne then went down Lanier Place while the other defendants, all of whom knew that they were about to rob Mr. Griffin, stayed a short distance away to act as lookouts. Cawthorne then saw Maye point the gun at Mr. Griffin and saw Jefferson remove Mr. Griffin's coat, while Cawthorne stood immediately next to them to act as backup. Mr. Griffin then started to run away but was tripped. When Mr. Griffin fell to the ground, Cawthorne saw A.W. take his shoes but give them back when Gant told him to do so.

After the robbery was complete, Mr. Griffin left, and all of the defendants walked to the Woodley Park Metro station, where they intended to go back to West Hyattsville. Shortly after they arrived at the Metro station, the defendants, including Cawthorne, saw Mr. Griffin and his friend Isaac Chase approach them in an effort to get Mr. Griffin's property back. At that time, Cawthorne saw that Jefferson was wearing the Helly Hansen jacket that he and the other defendants had stolen from Mr. Griffin, while D.T. was wearing a blue L.A. Kings baseball cap they had stolen from him. Cawthorne saw that D.T. was also wearing a black Helly Hansen coat with a thick, dark grey stripe in the middle of it, and blue jeans with the cuffs rolled up. Cawthorne himself was wearing light grey jeans and a jacket with several distinctive yellow or green vertical zippers. Cawthorne saw that Maye was wearing a black or dark grey jacket, dark jeans with the cuffs rolled up, and a rolled-up ski mask on top of his head. Cawthorne saw that Myers was wearing a long grey coat, black or dark grey pants, a black or dark grey half-zip sweater, and a black polo ski cap with a rolled up ski mask underneath it. Cawthorne saw that Swann was wearing blue jeans and a black nylon zip-up jacket with a bright red or orange hood, as well as a baseball cap with shiny decals on the front and the bill. Cawthorne saw that Whittaker was wearing a long, puffy, black coat, dark pants, a white t-shirt, and tan Timberland boots.

As Mr. Chase approached, Cawthorne asked Jefferson if he (Cawthorne) should shoot Mr. Chase. Jefferson said no. Cawthorne then saw Mr. Chase taken to the ground and, along with Maye, Smith, Swann, D.T., and A.W., Cawthorne repeatedly punched, kicked, and stomped Mr. Chase, while Gant, Jefferson, Myers, and Whittaker moved toward Mr. Griffin in an effort to keep Mr. Griffin from helping Mr. Chase. While Mr. Chase was on the ground, Cawthorne heard at least one of his codefendants say, "Get his shoes!" Although there was no discussion of the fact that Mr. Chase would be robbed during this attack, Cawthorne assumed that he would be and believes that all of his codefendants knew that as well.

After the first attack on Mr. Chase was completed, Cawthorne saw Mr. Chase get up and stumble towards the escalators. Jefferson, Cawthorne and Swann followed Mr. Chase as he did this. Cawthorne then saw Smith take Mr. Chase to the ground again, after which Cawthorne punched and kicked Chase along with, among others, Swann. Jefferson bent down over Mr. Chase while this was happening, while Cawthorne went through Mr. Chase's pockets and removed Mr. Chase's wallet. Cawthorne subsequently saw Watts walk away from Mr. Chase, carrying Mr. Chase's shoes. After that second attack was complete, Cawthorne told Jefferson that he (Cawthorne) had taken money from Mr. Chase's wallet, which Cawthorne had, in fact, done. Cawthorne also later told Jefferson that he (Cawthorne) had hidden the gun behind a metal box at the far end of the platform, which Cawthorne had, in fact, done. The gun was subsequently recovered by the police.

After the attack on Chase ended, Cawthorne remained on the platform level of the station, while several of his codefendants went upstairs one level to the mezzanine. Although Cawthorne did not see what happened next on the mezzanine, he later watched Metro security camera footage of those events. When viewing the security camera footage, Cawthorne saw Mr. Griffin square up against Whittaker (who had doffed his coat and was now wearing only the white t-shirt) in an unarmed fistfight and exchange one punch each, while Swann and D.T. stood behind Whittaker as backup. Cawthorne then saw, on the security camera footage, Myers sneak up on Mr. Griffin from behind as Mr. Griffin and Whittaker were engaged in the fistfight. Although Myers had pulled a ski mask over his face, Cawthorne was able to recognize Myers by what he was wearing and the fact that he had known Myers for a significant period of time. He saw, on the security camera footage, Myers reach out and stab Mr. Griffin once in the chest.

As Mr. Griffin stumbled to the right of the camera, Cawthorne heard on the security camera footage something that he acknowledged sounded like the knife clattering to the ground. He then heard, on the security camera footage, D.T. (whose voice he recognized) shout, "Hey, pick that knife up, cuz!", and saw Whittaker bend down, out of the camera's range and moving toward where the knife would have fallen after the stabbing. Cawthorne then saw and heard, on the security camera footage, Swann shout, among other things, "Bitch, we don't play!... Say a word!" Cawthorne understood "Say a word" to be slang for "Don't tell anyone what just happened."

Cawthorne agrees that, when he entered into the agreement to commit robberies that night, and then continuing throughout the night, it was reasonably foreseeable that someone could be killed. He also agrees and understands that, having agreed with his codefendants to commit robberies, he may be held legally responsible for Mr. Griffin's death at the hands of one of his coconspirators, even if he himself did not intend for Mr. Griffin to be killed. Finally, he agrees and understands that Myers caused the death of Mr. Griffin, that Myers intended to kill or seriously injure Mr. Griffin or acted in conscious disregard of an extreme risk of death or serious bodily injury to Mr. Griffin, and that Myers did not act in self-defense or defense of others when he stabbed Mr. Griffin in the chest.


This summary of the facts does not include all of the facts and circumstances of the

offenses, nor does it specify all of the actions taken by the members of the conspiracy on November 16 and 17, 2012. Rather, this summary of the facts is limited to those facts and circumstances necessary to the plea of guilty.

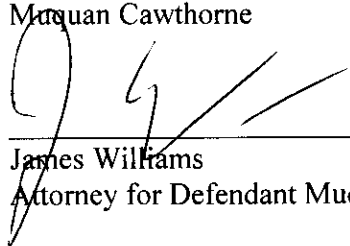
DEFENDANT'S ACKNOWLEDGMENT

I have read and discussed the Government's Proffer of Facts with my attorney, James Williams. I agree, and acknowledge by my signature, that this Proffer of Facts is true and correct.

Date: 9/6/13


Muquan Cawthorne


Date: 9/6/13


James Williams
Attorney for Defendant Muquan Cawthorne

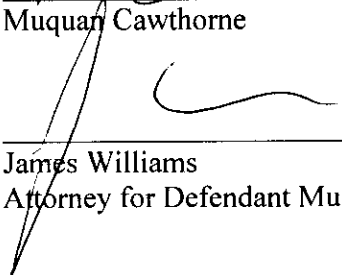
DEFENDANT'S AGREEMENT TO WAIVE DNA TESTING

My attorney has discussed the contents of this plea agreement with me, including the fact that I may request or waive DNA testing, including independent DNA testing. I understand the conditions of the plea and agree to them. I knowingly, intentionally, and voluntarily waive and give up DNA testing, including independent DNA testing, of any biological materials in this case. I further state that I am fully satisfied with the services my attorney has provided to me and am fully satisfied with the explanation my attorney has provided me concerning the terms of the plea offer, the potential evidentiary value of DNA evidence in this case, and the consequences of waiving and giving up DNA testing in this case and pleading guilty.

Date: 9/6/13


Muquan Cawthorne

Date: 9/6/13


James Williams
Attorney for Defendant Muquan Cawthorne

