



U.S. Department of Justice

Ronald C. Machen Jr.  
United States Attorney

*District of Columbia*

---

*Judiciary Center  
555 Fourth St., N.W.  
Washington, D.C. 20530*

January 14, 2014

**BY EMAIL**

Dana Page, Esq.  
Michael Carter, Esq.  
[dpage@pdsdc.org](mailto:dpage@pdsdc.org)  
[mcarter@pdsdc.org](mailto:mcarter@pdsdc.org)

Re: United States v. Donzell Butler, 2012 CF1 12059

Dear Counsel:

This letter is to extend a plea offer to your client, Donzell Butler. This plea offer will remain open until **January 15, 2014**. However, the government reserves the right to revoke this plea offer at any time before your client enters a guilty plea in this case. If your client accepts the government's plea offer, please notify me as soon as possible so that I can provide a proposed proffer of facts and additional paperwork to expedite the case's disposition, and so that the case can be placed upon the court's calendar for disposition. Upon receipt of the executed document, this letter will become the plea agreement between your client and the Office of the United States Attorney for the District of Columbia. The terms of the plea offer are as follows:

1. Your client, Donzell Butler, agrees to admit guilt and enter a plea of guilty to the following offenses: **one count of Voluntary Manslaughter (unarmed)**, in violation of 22 D.C. Code § 2105 and **one count of Assault with Significant Bodily Injury** in violation of 22 DC Code § 404(a)(2). Your client understands that Voluntary Manslaughter carries a potential maximum penalty of thirty (30) years of incarceration. Your client also understands that the offense calls for five (5) years of supervised release, with three (3) years of additional incarceration as "backup" time. See 24 D.C. Code Section 403.01. Assault with Significant Bodily Injury carries a potential maximum penalty of three (3) years of incarceration, calls for three (3) years of supervised release, with one (1) year of "backup" time.

2. Your client understands that the Government will reserve stepback pending sentencing, will waive any sentencing enhancement papers that do apply, and will reserve allocation at sentencing, subject to the terms set forth in paragraph 5 of this agreement.

3. Your client understands that the Government will dismiss the greater and remaining counts of the indictment offenses stemming from the offense to which your client is pleading guilty.

4. The parties further agree that your client, after taking an oath to tell the truth, shall agree to a factual proffer to be provided upon your acceptance of this agreement.

5. Your client understands that the Court may utilize the District of Columbia Sentencing Commission's Voluntary Sentencing Guidelines in imposing the sentence in this case. This plea offer is contingent upon an agreement between the Government and your client that neither party will seek an upward or downward departure outside of your client's applicable guideline range. Your client further understands that the applicable guideline range will not be determined by the Court until the time of sentencing.

6. Your client agrees that this letter is binding on the Government, but not binding on the Court, and that he cannot withdraw this plea at a later date because of the harshness of any sentence imposed by the Court.

7. In entering this plea of guilty, your client understands and agrees to waive certain rights afforded to your client by the Constitution of the United States and/or by statute. In particular, your client knowingly and voluntarily waives or gives up his right against self-incrimination with respect to the offense(s) to which your client is pleading guilty before the Court which accepts your client's plea. Your client also understands that by pleading guilty your client is waiving or giving up your client's right to be tried by a jury or by a judge sitting without a jury, the right to be assisted by an attorney at trial and the right to confront and cross-examine witnesses.

8. This letter sets forth the entire understanding between the parties and constitutes the complete plea agreement between your client and the United States Attorney's Office for the District of Columbia. This agreement supersedes all prior understandings, promises, agreements, or conditions, if any, between this Office and your client.

Respectfully,

RONALD C. MACHEN JR.  
UNITED STATES ATTORNEY

By: Reagan M. Taylor  
Reagan M. Taylor  
Assistant U.S. Attorney  
Telephone: 202-252-6819  
Reagan.Taylor@usdoj.gov

### DEFENDANT'S ACCEPTANCE

I have read or had read to me each of the two (2) pages constituting this plea agreement and have discussed it with my attorney. I fully understand this agreement and agree to it, intending to be legally bound. I have not been threatened or coerced in any manner. I am not under the influence of anything that could interfere with my ability to understand this agreement fully.

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 written plea agreement. I am satisfied with the legal services provided to me by my attorney in connection with this plea agreement and matters related to it.

Date: 1-16-14

Donzell Butler  
DEFENDANT – Donzell Butler

### ATTORNEY'S ACKNOWLEDGMENT

I have read each of the two (2) pages constituting this plea agreement. I have fully reviewed and discussed the provisions of the agreement with my client, and I am satisfied that my client understands all of its terms and conditions. These pages accurately and completely set forth the entire plea agreement. I concur with my client's decision to plead guilty as set forth in this agreement.

Date: 1-16-14

Dana Page, Esq.  
Dana Page, Esq.  
Michael Carter, Esq.  
Attorneys for Defendant

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**  
**Criminal Division – Felony Branch**

<b>UNITED STATES OF AMERICA</b>	:	<b>Case No.: 2012 CF1 12059</b>
	:	
<b>vs.</b>	:	<b>Judge Ramsey Johnson</b>
	:	
<b>DONZELL BUTLER</b>	:	

**FACTUAL PROFFER**

Had this case proceeded to trial, the government would have shown beyond a reasonable doubt, among other facts, the following:

On July 7, 2012, at approximately 9:50 PM, members of the Metropolitan Police Department's Sixth District received a radio assignment to respond to the 5300 block of Ames Street Northeast, Washington, DC for the report of a person lying in the middle of the street. Upon arrival on the scene, officers located Charles Anthony Scott ("the decedent") lying in the street and suffering from multiple stab wounds. They also located Kevin Reeves who had stab wounds to his upper body. The decedent and Mr. Reeves were transported to a local hospital. Mr. Reeves was treated and released. The decedent succumbed to his injuries and was pronounced dead by Dr. Ali Khan. The Chief Medical Examiner for the State of Maryland performed an autopsy on Charles Scott's remains. The medical examiner identified three stab wounds to the decedent's body, two to his neck and one to his shoulder. The most rapidly fatal of these wounds was the one to the right midline of the decedent's neck, which injured his jugular vein and subclavian artery, and entered his chest cavity causing his chest to fill with blood. The medical examiner determined that the cause of death was multiple stab wounds, and the manner of death was homicide. Kevin Reeves was treated for his stab wounds and released from the hospital.

During the ensuing investigation, homicide branch detectives spoke to several witnesses to the murder and the events leading up to the decedent's death and the injuries sustained by Kevin Reeves.

Witnesses reported that shortly before the murder, the decedent, Kevin Reeves and others went to a carry-out restaurant located on the corner of East Capitol Street SE and 53<sup>rd</sup> Street SE. As they left the carry-out, the defendant, Donzell Butler, was walking toward the carry-out. A witness, W-1, reported that the decedent and the defendant were walking in the same path, and it appeared to W-1 that they would collide with one another, but at the last moment the decedent stepped aside to let the defendant pass. There was a brief exchange of words between the decedent and the defendant before both walked away from one another. The decedent, Reeves

and the remainder of their group walked north on 53<sup>rd</sup> Street Northeast, as the defendant continued to walk toward the entrance to the carry-out.

As they walked north on 53<sup>rd</sup> Street, W-1 saw the defendant walking behind the decedent, Reeves and their group. The defendant was walking in the same direction and it appeared to W-1 that the defendant was following them. The defendant walked north on 53<sup>rd</sup> Street and then east onto Ames Street, NE where the decedent, Mr. Reeves and their group were walking in the middle of the street. After arriving on Ames Street, the defendant walked along the sidewalk to a green car that was awaiting him, and stood near the car's passenger side. Kevin Reeves turned and asked the defendant, "are ya'll good?," or words to that effect. The defendant responded, "Yeah, your man good?," or words to that effect. Shortly after that exchange of words the defendant, walked around the car toward the center of the street and approached Kevin Reeves. As a result, a physical confrontation ensued between the defendant and Reeves.

The decedent quickly approached the defendant and Reeves in an effort to assist Mr. Reeves in the fight. Another witness, W-4, came to assist the defendant. After W-4 approached, it began to fight with Mr. Reeves and the defendant engaged the decedent in a physical confrontation. The decedent fought the defendant using his fists. At some point during the fight, the defendant stabbed the decedent about his neck and shoulder, and stabbed Kevin Reeves about his upper body. Another witness described seeing the defendant "slice" the decedent with his knife. The decedent fell to the ground after being stabbed, and the defendant and W-4 ran from the scene. Neither W-4, Kevin Reeves, nor the decedent was armed during the fight.

W-1 was shown a nine person photo array and identified the defendant, Donzell Butler, as the person that it saw with a sharp object, either pliers or a knife, while fighting the decedent. W-4 was also shown a nine person photo array and identified the defendant as the person whose assistance it went to during the fight, and with whom it ran from the scene.

In entering this plea of guilty, Donzell Butler admits these facts freely and voluntarily, without duress or coercion.

**END OF PROFFER**

### **DEFENDANT'S ACKNOWLEDGMENT**

I have read and discussed the above Proffer of Facts with my attorneys, Dana Page, Esq. and Michael Carter, Esq. I agree, and acknowledge by my signature that this Proffer of Facts is true and correct.

Date: 1-17-14

Donzell Butler  
Donzell Butler  
Defendant

Date: 1-17-14

Dana Page, Esq.  
Michael Carter, Esq.  
Attorneys for Defendant

### **ATTORNEY'S ACKNOWLEDGEMENT**

I have read and discussed the above Proffer of Facts with my client, Donzell Butler, whose signature appears above. I know of no reason why his adoption of the above Proffer of Facts is not knowing, voluntary, or intelligent, or any other reason why his guilty plea, based on the above Proffer of Facts, should not be accepted by the Court.

Date: 1-17-14

Dana Page, Esq.  
Michael Carter, Esq.  
Attorneys for Defendant