

**U.S. Department of Justice**

United States Attorney

*District of Columbia*

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

April 17, 2014

Andrew Stanner, Esq.  
Public Defender Service  
for the District of Columbia  
633 Indiana Avenue, N.W.  
Washington, DC 2004  
[astanner@pdsdc.org](mailto:astanner@pdsdc.org)

**Re: UNITED STATES v. ALPHONSO CLEVELAND, 2014 CF1-360**

Dear Mr. Stanner:

This letter is to confirm the pre-indictment plea offer for your client, Alphonso Cleveland. This plea offer will remain open until Thursday, April 17, 2014. However, the Government reserves the right to revoke this plea offer at anytime before your client enters a guilty plea in this case. If your client accepts the terms and conditions set forth below, please have your client execute this document in the space provided below. 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 offer are as follows:

1. Your client Alphonso Cleveland agrees to admit guilt and enter a plea of guilty to the following offense: Voluntary Manslaughter in violation of 22 D.C. Code, Section 2105 (2001 ed.). Your client understands that the offense of voluntary manslaughter carries a potential maximum penalty of 30 years.
2. Your client understands that the Government will reserve stepback pending sentencing, will waive any sentencing enhancement papers, and will reserve allocation at sentencing, subject to the terms set forth in paragraph 6 of this agreement.
3. Your client understands that the Government agrees that it will not seek indictment on any remaining or greater charges arising from the facts in the above-referenced case.
4. The parties further agree that your client, after taking an oath to tell the truth, shall agree to the attached factual proffer in open court on the date of the plea.



5. Your client understands that subject to the terms and conditions set forth in paragraph 6 below, the Court may utilize the District of Columbia Sentencing Commission's Voluntary Sentencing Guidelines in imposing the sentence in this case.

6. Your client and the Government agree that a sentence within the applicable guideline range for voluntary manslaughter, which is a sentence of not less than 48 months and not more than 120 months of incarceration, is the appropriate sentence in this case. Your client and the Government agree, pursuant to Rule 11(e)(1)(C) of the Superior Court Rules of Criminal Procedure, to present this plea agreement to the Court for its approval. If the Court accepts the plea agreement and the specific sentence agreed upon by the parties, then the Court will embody in the judgment and sentence the disposition provided for in this plea agreement, pursuant to Rule 11(e)(3) of the Superior Court Rules of Criminal Procedure. The parties understand, however, that in light of other factors the Court may not agree that such a sentence is an appropriate one and may reject the plea agreement pursuant to Rule 11(e)(4) of the Superior Court Rules of Criminal Procedure. Upon such a rejection, pursuant to Rule 11(e)(4), neither party would then be bound by this plea agreement. Your client understands that if this happens, the Court, in accordance with the requirements of Rule 11(e)(4), will inform the parties of its rejection of the plea agreement, and will afford your client an opportunity to withdraw the plea, or if your client persists in the guilty plea will inform your client that a final disposition may be less favorable to your client than that contemplated by this agreement.

7. 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.

8. Your client acknowledges and has been made aware that pursuant to the Innocence Protection Act, that there may be physical evidence which was seized from the victim, crime scene or from your client or from some other source that can be tied to your client that could contain probative biological material. Your client understands and agrees that in order to plead guilty in this case, your client must waive and give up DNA testing in this case and must execute the attached written waiver of DNA testing. Your client further understands that should he waive and give up DNA testing now, it is unlikely that he will have another opportunity to have the DNA tested in this case.

9. Your client also agrees that if any illegal firearms or illegal contraband were seized by any law enforcement agency from the possession of or the direct or indirect control of your client, then your client consents to the administrative forfeiture, official use and/or destruction of said firearms or contraband by any law enforcement agency involved in the seizure of these items.


10. 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.

11. 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:

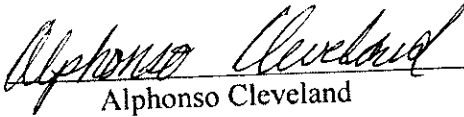
  
VERONICA SANCHEZ  
ASSISTANT U.S. ATTORNEY

**DEFENDANT'S ACCEPTANCE**

I have read this plea agreement and factual proffer and have discussed it with my attorney, Andrew Stanner, Esquire. 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.

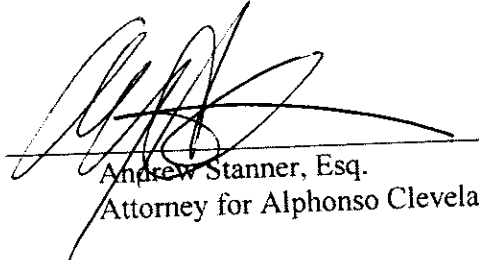
Date: 4.16.14

  
Alphonso Cleveland

**ATTORNEY'S ACKNOWLEDGMENT**

I have read each of the pages constituting this plea agreement, reviewed them with my client, Alphonso Cleveland, and discussed the provisions of the agreement with my client, fully. These pages accurately and completely sets forth the entire plea agreement.

Date: 4/16/2014

  
Andrew Stanner, Esq.  
Attorney for Alphonso Cleveland

## PROFFER OF FACTS

Had this case gone to trial the Government's evidence would have proven the following beyond a reasonable doubt:

The defendant, Alphonso Cleveland, and the decedent, Claudia Hall, were husband and wife. They lived together at 3 ■■■ 8<sup>th</sup> Place Apt. ■■■ N.E., Washington, D.C. until December 2013 when the decedent told the defendant to leave the apartment because he was not helping with the bills.

On January 3, 2014, at approximately, 2:20 p.m. officers from the Metropolitan Police Department and D.C. Fire and EMS personnel responded to 3 ■■■ 8th Place Apt. ■■■ N.E., Washington, D.C. due to a report for an unconscious person. The victim, Ms. Claudia Hall, was found dead lying, in her bed suffering from a stab wound to the abdomen and trauma to her neck. The decedent was discovered by a family member who went to the decedent's house when the family had not heard from the decedent since January 1, 2014. At the apartment there were stains of blood in the carpet, wall and a blue storage container. In addition, a knife handle covered with blood was found in a closet in the kitchen.

The medical examiner performed an autopsy on Claudia Hall and determined that the cause of death was asphyxia due to compression of the neck. Ms. Hall's right hyoid bone was fractured. The manner of death was ruled a homicide. Ms. Hall also had a stab wound on the lower abdomen.

The defendant Alphonso Cleveland stated that on January 1, 2014, the decedent invited him to 3 ■■■ 18<sup>th</sup> Place N.E., ■■■ Defendant Cleveland and the decedent got into an argument over the cable bill, which had not being paid by the defendant. The argument became physical and defendant Cleveland choked the decedent around the neck until he killed her. The defendant also admitted that he stabbed the decedent in the bottom half of her stomach and then placed the victim on the bed. Prior to leaving the residence, the defendant placed a chair against the front door to prevent anyone from entering the apartment and a large storage container over the blood stains in the carpet in the living room.

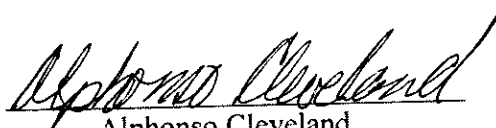
Defendant Cleveland strangled the decedent to death and stabbed the decedent and he did so intentionally and not by accident or mistake. Mr. Cleveland was not acting in self-defense.



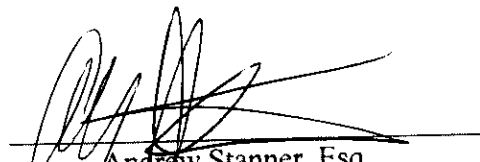
DEFENDANT'S ACKNOWLEDGMENT

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

Date: 4-16-14

  
Alphonso Cleveland

Date: 4-16-2014

  
Andrew Stanner, Esq.  
Attorney for Alphonso Cleveland