



U.S. Department of Justice

Ronald C. Machen Jr.  
United States Attorney

*District of Columbia*

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

April 14, 2014

**BY EMAIL**

Tony Matthews  
Public Defender Service  
[tmatthews@pdsdc.org](mailto:tmatthews@pdsdc.org)

Re: United States v. Antonio Williams, also known as Jamal,  
2014 CF1 5414

Dear Counsel:

This letter is to extend a pre-preliminary hearing plea offer to your client, Antonio Williams. This plea offer will remain open until April 16, 2014 and is contingent upon your client waiving the preliminary hearing currently scheduled for April 7, 2014. The government, however, reserves the right to revoke this plea offer at any time before your client enters a guilty plea in this case. 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, Antonio Williams, also known as Jamal, agrees to admit guilt and enter a plea of guilty to one count of **Involuntary (Misdemeanor) Manslaughter**, in violation of 22 D.C. Code § 2105. Your client understands that the offense of Involuntary (Misdemeanor) Manslaughter carries a potential statutory penalty of up to 30 years in prison (with no mandatory-minimum prison term).

In addition, your client understands that pursuant to 4 D.C. Code § 516, as part of his sentence he will be required to pay an assessment to the Crime Victims Compensation Fund of at least \$100 and up to \$5,000, for the felony offense to which he is pleading guilty, and as part of this plea agreement your client agrees to pay such assessments as are specified by the sentencing court.

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 paragraphs 5 and 6 of this agreement.

3. Your client understands that the Government agrees that it will not indict any additional charges arising from the facts of this case.

4. The parties further agree that your client, after taking an oath to tell the truth, shall agree to the attached factual proffer.

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 and the Government agree that **a sentence of not less than 36 months (3 years) and not more than 60 months (5 years) 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 acknowledges and has been made aware that, pursuant to the Innocence Protection Act, there was not any physical evidence identified that 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. However, your client understands and agrees that in order to plead guilty in this case, your client must waive and give up any claim to conduct independent 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 any DNA tested in this case.

8. 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.

9. 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.

10. 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 *RMT*  
Reagan M. Taylor  
Assistant U.S. Attorney  
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[Reagan.Taylor@usdoj.gov](mailto:Reagan.Taylor@usdoj.gov)

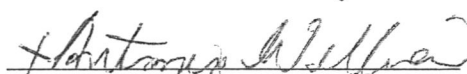
**DEFENDANT'S ACCEPTANCE**

I have read this plea agreement and factual proffer and have discussed it with my attorney, Tony Matthews, 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:

4/14/14

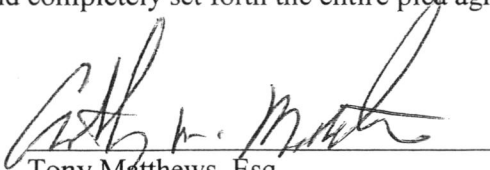
  
Antonio Williams  
Defendant

**ATTORNEY'S ACKNOWLEDGMENT**

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

Date:

4/15/14

  
Tony Matthews, Esq.  
Attorney for Antonio Williams

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

<b>UNITED STATES OF AMERICA</b>	:	<b>Case No.: 2014 CF1 5414</b>
	:	
vs.	:	<b>Judge Jennifer Anderson</b>
	:	
<b>ANTONIO WILLIAMS</b>	:	
Also known as “Jamal”	:	

**WAIVER OF INDEPENDENT DNA TESTING**  
**OF EVIDENCE CONTAINING BIOLOGICAL MATERIAL**

I have been advised by the Court that the government is in possession of physical evidence that was seized or recovered in the investigation or prosecution of this case, and that some of this evidence may contain biological material. I understand that before entering a plea of guilty or proceeding to trial, I may have the right to request independent DNA testing of that biological material, if a sufficient quantity of material exists. I also understand that I may waive that right and give up the chance to have an independent DNA test performed.

I understand that the government did not submit some or all of the items of evidence for biological and DNA testing. The Court has explained to me that, if I wish, the Court may authorize the testing of evidence to determine the presence of biological material, and if material is found suitable for DNA analysis, the Court may then order DNA testing to determine the source of the biological material.

I have discussed the significance of DNA testing with my attorney and I am satisfied with my attorney's explanation of DNA evidence and how it may be used at trial. I am aware that if I am innocent, DNA evidence may help prove that I am innocent. I also understand that the government may use the results of the DNA test to help prove that I committed the crimes with which I am charged. I understand that I may request independent DNA testing of evidence containing biological material in this case and that if I waive, or give up, independent DNA testing at this time it is likely that I will never have the opportunity to have the evidence in this case submitted for independent DNA testing.

Understanding all of this, I knowingly, intentionally, and voluntarily waive, or give up, independent DNA testing of any evidence containing biological material in this case. I am fully satisfied with the services my attorney provided to me and I am fully satisfied with the explanation my attorney provided to me about the consequences of waiving independent DNA testing.

4/14/14  
Date

Antonio Williams  
Antonio Williams  
Defendant

Tony Matthews  
Tony Matthews  
Defense Counsel

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

<b>UNITED STATES OF AMERICA</b>	:	<b>Case No.: 2014 CF1 5414</b>
	:	
<b>vs.</b>	:	<b>Judge Jennifer Anderson</b>
	:	
<b>ANTONIO WILLIAMS</b>	:	
Also known as "Jamal"	:	

**FACTUAL PROFFER**

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

On March 1, 2014, at approximately 12:06AM, the DC Office of Unified Communications received a 911 call to respond to the area of the 300 block of Ridge Road, SE, Washington, DC for the report of unconscious individual.

Upon arrival, EMTs discovered the decedent, Andre McIntyre, lying against a fence in the 300 block of Ridge Road, SE, unconscious, unresponsive, and with apparent trauma to his head. The decedent was transported to Prince Georges County Hospital for medical treatment but eventually succumbed to his injuries and was pronounced dead. The hospital staff could not determine the cause of the trauma to the decedent's head. Later on that same day, Dr. Melissa Brassell of the Maryland Office of the Chief Medical Examiner's Office performed an autopsy on the decedent. Dr. Brassell noted a laceration to the left side of the decedent's face near the chin and trauma to the hyoid bone which are consistent with a punch but not definitive as the cause of those injuries. Dr. Brassell determined the cause of death was blunt force trauma of the head and neck and ruled the manner of death as a homicide.

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

A witness, W-2, reported that shortly before the murder, the decedent was standing near the intersection of D Street SE and Ridge Road SE, when he called out to the defendant, "Come here Jamal." According to W-2 and another witness, W-1, the defendant, Antonio Jemar Williams, who is also known by the name *Jamal*, walked to within arms' reach of the decedent, stood face to face with him, and the two had what appeared to be an argument. Moments later, the defendant turned to walk away from the decedent, but quickly spun back around and struck the decedent in the facial area with a closed fist. The decedent immediately fell and struck his head on the ground. The defendant walked to a nearby vehicle and left the scene. Nearby witnesses called 911 and EMTs responded. W-2, reported seeing the defendant return to the scene after EMTs arrived, and heard the defendant ask "Is Dre alright?," before again leaving the scene. No witness reported seeing the decedent take any action toward the defendant before the defendant hit him. The defendant did not act in self-defense.

W-1 was shown a single confirmation photo of the defendant, who it identified as the person it knows as "Jamal" and the person it saw hit the decedent. W-2 was also shown a single confirmation photo, who it identified as the person that it knows as "Jamal" and the person that it saw hit the decedent.

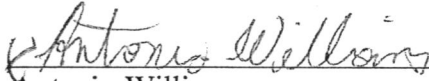
**END OF PROFFER**



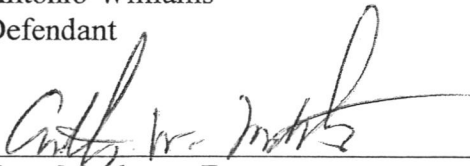
**DEFENDANT'S ACKNOWLEDGMENT**

I have read and discussed the above Proffer of Facts with my attorney, Tony Matthews, Esq. I agree, and acknowledge by my signature that this Proffer of Facts is true and correct.

Date: 4/14/14

  
Antonio Williams  
Defendant

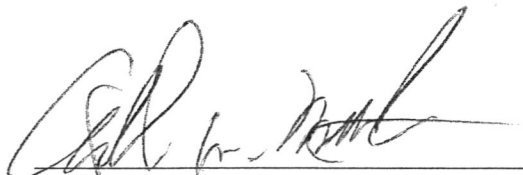
Date: 4/14/14

  
Tony Matthews, Esq.  
Attorney for Defendant

**ATTORNEY'S ACKNOWLEDGEMENT**

I have read and discussed the above Proffer of Facts with my client, Antonio Williams, also known as "Jamal," 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: 4/14/14

  
Tony Matthews, Esq.  
Attorney for Defendant