

U.S. Department of Justice

Ronald C. Machen Jr.
United States Attorney

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

May 6, 2014

Jacqueline Cadman
Public Defender Service

Re: UNITED STATES v. COREY SAXTON, 2014-CF1-4117

Dear Ms. Cadman:

This letter is to confirm the pre-indictment plea offer for your client, Corey Saxton. This plea offer will remain open until May 9, 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 Corey Saxton agrees to admit guilt and enter a plea of guilty to the following offense: Voluntary Manslaughter While Armed in violation of 22 D.C. Code 2105, 4502. Your client understands that the offense of Voluntary Manslaughter While Armed carries a potential maximum penalty of between 5 and 30 years imprisonment.
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 5. of this agreement.
3. Your client understands that the Government agrees that it will dismiss the greater count of Second Degree Murder While Armed at the time of sentencing and 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 the Court may utilize the District of Columbia Sentencing Commission's Voluntary Sentencing Guidelines in imposing the sentence in this case. The Government and your client agree that neither party will seek an upward or downward departure outside of your client's applicable guideline range, unless the specific basis for such a departure is identified and is set forth in this agreement.
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. The Government understands that your client is not bound by the Government's allocation, and may request a lesser sentence, subject to the terms set forth in paragraph 5, above.

7. 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/she waive and give up DNA testing now, it is unlikely that he/she will have another opportunity to have the DNA tested in this case. The government is not aware of any biological material that would fall under the parameters of the Innocence Protection Act, however, there may be "touch DNA."

8. 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 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.

9. 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

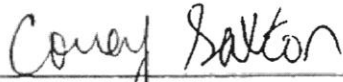
By: 
MAGDALENA ACEVEDO
ASSISTANT U.S. ATTORNEY

DEFENDANT'S ACCEPTANCE

I have read this plea agreement and factual proffer and have discussed it with my attorney, Jacqueline Cadman, 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.

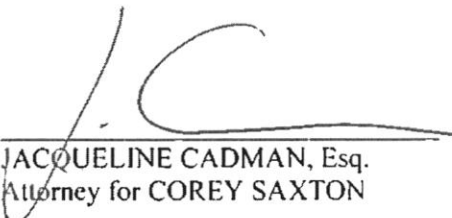
Date: 5-6-14


COREY SAXTON

ATTORNEY'S ACKNOWLEDGMENT

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

Date: 5-6-14


JACQUELINE CADMAN, Esq.
Attorney for COREY SAXTON

PROFFER OF FACTS

Had this case gone to trial the Government's evidence would have shown beyond a reasonable doubt that on March 5, 2014, at approximately 7:30 p.m., COREY SAXTON traveled by car to the 1200 block of Madison Street, Northwest, Washington, D.C., where he had agreed to meet with RUSSCHAINED HENRY to purchase marijuana. Upon arrival, COREY SAXTON entered the front passenger seat of the vehicle being driven by RUSSCHAINED HENRY. After a short conversation, COREY SAXTON returned to his vehicle to speak to his "people" and stayed in the vehicle for approximately 15 minutes. He then returned to RUSSCHAINED HENRY'S vehicle, opened the front passenger door, pointed a pistol at RUSSCHAINED HENRY and demanded all of his drugs. When RUSSCHAINED HENRY tried to flee the area, COREY SAXTON fired his weapon, striking RUSSCHAINED HENRY in the chest. COREY SAXTON then fled the area.

RUSSCHAINED HENRY sped down Madison Street, crashing into multiple cars and flipping his vehicle at least once because of his injuries. RUSSCHAINED HENRY was unconscious and had no signs of life when Metropolitan Police Department officers arrived on scene a few minutes later. He was transported to Medstar Hospital, where all life-saving efforts proved futile. His death was a direct consequence of the gunshot wound.

COREY SAXTON caused the death of RUSSCHAINED HENRY. At the time he did so, COREY SAXTON intended to kill or seriously injury RUSSCHAINED HENRY, or acted in conscious disregard of an extreme risk of death or serious bodily injury. He did not act in self-defense.

DEFENDANT'S ACKNOWLEDGMENT

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

Date: 5-6-14

Corey Saxton
COREY SAXTON

Date: 5-6-14

JACQUELINE CADMAN, Esq.
Attorney for COREY SAXTON

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 (or independent DNA testing, if applicable). I understand the conditions of the plea and agree to them. I knowingly, intentionally, and voluntarily waive and give up DNA testing (or independent DNA testing, if applicable) 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: 5-6-14

Corey Saxton
COREY SAXTON

Date: 5-6-14

JACQUELINE CADMAN, Esq.
Attorney for COREY SAXTON

