



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*

May 7, 2014

BY EMAIL

Jacqueline Cadman
jcadman@pdsdc.org

Re: **UNITED STATES v. DAVID WILSON**
2013 CF1 1808

Dear Ms. Cadman:

This letter is to confirm the plea offer for your client, David Wilson. This plea offer will remain open until Friday, May 9, 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 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 David Wilson agrees to admit guilt and enter a plea of guilty to the following offenses: Voluntary Manslaughter, D.C. Code §22-2105. Your client understands that the offense of Voluntary Manslaughter carries a potential maximum penalty of 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 charges set forth in the indictment at 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 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 of not less than 72 months and not more than 108 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 also understands that the government has tested some items of physical evidence, and that he has a right to independently test those items. Your client understands that 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/she will have another opportunity to have the DNA tested in this case.

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: /s/ Holly R. Shick
HOLLY R. SHICK
Assistant United States Attorney

DEFENDANT'S ACCEPTANCE

I have read this plea agreement and factual proffer and have discussed it with my attorney, Jacqueline Cadman. 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: 5-7-14

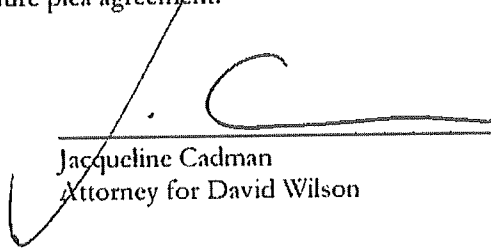


David Wilson

ATTORNEY'S ACKNOWLEDGMENT

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

Date: 5-7-14



Jacqueline Cadman
Attorney for David Wilson

PROFFER OF FACTS

Had this case proceeded to trial, the government's evidence would have shown beyond a reasonable doubt that on January 31, 2013, the defendant, David Wilson, sent a text message to the decedent, Howard Venable, telling Mr. Venable that he needed money. Shortly after midnight on February 1, 2013, the defendant, and two persons whose identities are known to the defendant and the government, hereinafter referred to as S-1 and S-2, left the defendant's home in District Heights, Maryland, and went to Mr. Venable's apartment located at 16 ■ Fuller St. N.W., Apt. ■ Washington, D.C. The defendant brought S-1 and S-2 to Mr. Venable's apartment knowing they intended to rob Mr. Venable of money. Upon their arrival, the defendant used the building entry system to call Mr. Venable to gain access to his apartment. The defendant, S-1 and S-2 proceeded to Mr. Venable's apartment, where S-1 or S-2, in the defendant's presence robbed Mr. Venable of a Bank of America credit card. During the course of the robbery, S-1 or S-2, in the defendant's presence stabbed Mr. Venable inflicting injuries from which he died.

After S-1 and/or S-2 stabbed and killed Mr. Venable, all three persons took a cab to a BP gas station at 6701 Walker Mill Rd., Capitol Heights, Maryland. At approximately 1:24 A.M., the defendant attempted to withdraw cash from an ATM machine using Mr. Venable's Bank of America credit card, but was unsuccessful. A few minutes later, the defendant tried to use the ATM machine again with a different credit card.

Shortly before 3 A.M., the defendant and S-1 entered the same BP gas station, and the defendant used Mr. Venable's Bank of America debit card three separate times - at 2:50 A.M., 2:51 A.M., and 2:52 A.M. - to withdraw a total of \$600 plus ATM fees.

The defendant was arrested on February 3, 2013, after a pre-arrest interview the same day. At the conclusion of that interview, the defendant claimed that he and Mr. Venable were involved in an argument inside of Mr. Venable's apartment. The defendant said Mr. Venable retrieved a knife, and that he and Mr. Venable wrestled for control of the knife. The defendant said Mr. Venable then fell onto the knife, stabbing himself. An autopsy revealed that Mr. Venable suffered from a horizontal stab wound across his neck, a stab wound to his right torso, small cuts to several of his fingers, and a fatal stab wound to his chest, which perforated his aorta. During several subsequent interviews with law enforcement, the defendant has acknowledged that he was present when Mr. Venable was stabbed, but that S-1 or S-2 stabbed the decedent.

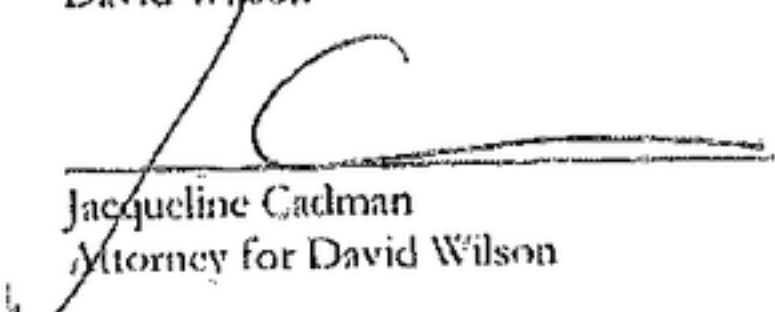
DEFENDANT'S ACKNOWLEDGMENT

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

Date: 5-7-14


David Wilson

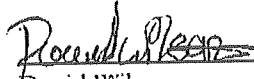
Date: 5-7-14


Jacqueline Cadman
Attorney for David Wilson

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. I understand the conditions of the plea and agree to them. I knowingly, intentionally, and voluntarily waive and give up 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: 5-7-14



David Wilson

Date: 5-7-14



Jacqueline Cadman
Attorney for David Wilson

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Criminal Division - Felony Branch


UNITED STATES OF AMERICA	:	Case No. 2013 CF1 1808
	:	
v.	:	The Honorable Jennifer Anderson
	:	
DAVID WILSON	:	

INFORMATION

1. On or about February 1, 2013, within the District of Columbia, David Wilson, with the intent to inflict serious bodily injury on another and with a conscious disregard of an extreme risk of death or serious bodily injury to another, caused the death of Howard Venable by stabbing Howard Venable on or about February 1, 2013, thereby causing injuries from which Howard Venable died on or about February 1, 2013. (Voluntary Manslaughter, in violation of 22 D.C. Code, Section 2105 (2001 ed.))

Respectfully submitted,

RONALD C. MACHEN JR.
United States Attorney



HOLLY R. SHICK
Assistant United States Attorney