



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*

February 5, 2013

Rene Raymond, Esq.  
Public Defender Service  
633 Indiana Avenue, NW  
Washington, D.C. 20004

Re: UNITED STATES v. DAVID BOLDEN, 201<sup>2</sup>~~0~~CF1007711

Dear Ms. Raymond:

This letter is to confirm the plea offer to your client, David Bolden. This plea offer will remain open until February 6, 2013. 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 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:

#### DEFENDANT'S OBLIGATIONS

1. Your client, David Bolden, agrees to plead guilty to the follow offense: Second Degree Murder While Armed, in violation of 22 D.C. Code, Section 2103, 3202 (2001 ed.) Your client understands that the offense of Second Degree Murder While Armed carries a potential maximum penalty of up to forty years incarceration.

2. Your client and the Government each agree that a sentence of thirteen (13) years of incarceration is the appropriate sentence in this case. Your client and the Government agree, pursuant to Rule 11(e)(1)© 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, 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.

3. In entering this guilty plea, your client agrees to waive certain rights afforded to your client by the Constitution of the United States and/or by statute, as follows:

(a) Your client also understands that by entering an guilty plea, your client is waiving or giving up his 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.

4. Your client acknowledges and has been made aware 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 a 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..

#### **GOVERNMENT'S OBLIGATIONS**

5. In return for your client's guilty plea regarding Second Degree Murder While Armed under this agreement, this Office agrees to the following:

(a) The United States agrees to Dismiss the greater charge Of First Degree Murder While Armed, and the remaining charges at the time of sentencing.

6. This agreement only binds the United States Attorney's Office for the District of Columbia. It does not bind any other United States Attorney's Office or any other federal, state or local prosecuting authority.

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

Respectfully,

RONALD C. MACHEN  
UNITED STATES ATTORNEY

By:



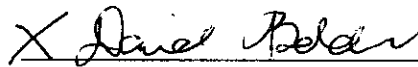
GARY M. WHEELER  
ASSISTANT UNITED STATES ATTORNEY

#### DEFENDANT'S ACCEPTANCE

I have read this plea agreement and factual proffer and have discussed it with my attorney, Rene Raymond, 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 reaffirm that absolutely no promises, agreements, understandings, or conditions have been made or entered into in connection with my decision to enter this agreement, 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.

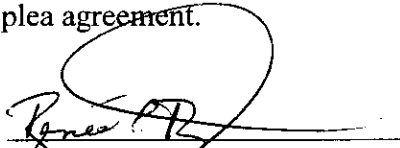
Date: 7/6/13

X   
David Bolden

ATTORNEY'S ACKNOWLEDGMENT

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

Date: 2/6/13

  
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Rene Raymond, Esq.  
Attorney for Defendant

## PROFFER OF FACTS

Had this case gone to trial the government would prove beyond a reasonable doubt that, for several weeks prior to the night of the stabbing, the defendant David Bolden, AKA Tupac, and the decedent, Lamont Devore, had several verbal disputes as to the defendant spending time with the mother of the decedent's children. During the late night hours of May 1, 2012, the defendant was on the porch of [REDACTED] 45<sup>th</sup> Street, NE, drinking with the mother of the decedent's children, and her neighbors. The defendant had told the mother of the decedent's children that, he was upset with the decedent because the decedent had told the mother of the defendant's children that the defendant had been "messing with the decedent's babies' mother. The defendant stated, further, that he was going to tell the decedent about his displeasure when he next saw him.

Then, another visitor came to that same porch of, but refused a drink, stating that it had just been drinking with the decedent. Once the defendant found out where the visitor had seen the decedent, the defendant entered his car and drove to that location.

As the defendant exited his car and approached the decedent, the decedent turned to fight. However, when the defendant got within a few feet, he pulled knife and stabbed the decedent several times, re-entered his car and drove away. Although the decedent was able to escape the attack, and call 911, he collapsed before help arrived, at 1:20 a.m., and died soon thereafter.

During an autopsy performed later on that same date, a medical examiner concluded that the cause of death was multiple sharp force injuries, and the manner of death was homicide.