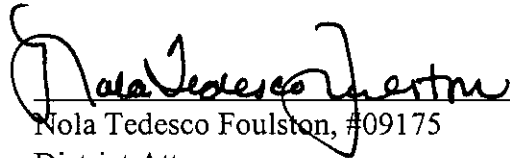




2. That the defendant committed the crime in an especially heinous, atrocious or cruel manner. The term "heinous" means extremely wicked or shockingly evil; "atrocious" means outrageously wicked and vile; "cruel" means pitiless or designed to inflict a high degree of pain, utter indifference to, or enjoyment of, the sufferings of others.

Mitigating Circumstances

There are no mitigating circumstances.

  
\_\_\_\_\_  
Nola Tedesco Foulston, #09175  
District Attorney

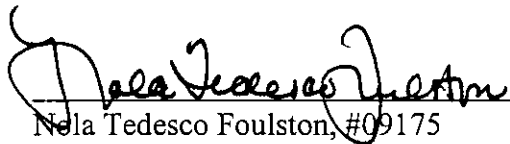
CERTIFICATE OF FILING WITH CLERK

The undersigned hereby certifies that the above and foregoing Notice of Intent To Request Mandatory 40-Year Imprisonment has been filed with the Clerk of the District Court on this 3<sup>rd</sup> day of May, 2005.

  
\_\_\_\_\_  
CLERK OF THE DISTRICT COURT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing Notice of Intent To Request Mandatory 40-Year Imprisonment and certificate of filing with the Clerk of the District Court has been served by hand delivering the same upon defendant and counsel herein at the time of arraignment on the 3<sup>rd</sup> day of May, 2005.

  
\_\_\_\_\_  
Nola Tedesco Foulston, #09175  
District Attorney