



U.S. Department of Justice

United States Attorney
District of Massachusetts

1107 J.W. McCormack Post Office and Courthouse
Boston, Massachusetts 02109

January 5, 1993

Nancy Gertner, Esquire
Dwyer, Collora & Gertner
400 Atlantic Avenue
Boston, Massachusetts 02110

Terry Philip Segal, Esquire
Segal & Feinberg
210 Commercial Street
Boston, Massachusetts 02109

Re: United States v. Thomas A. Shay and Alfred W. Trenkler
Criminal No. 92-10369-Z

Dear Counsel:

Please be advised that the United States Attorney has decided not to seek the death penalty in the above-referenced action, even though the same is listed as sentencing option for persons convicted under 18 U.S.C. §§844(d) and 844(i) in cases involving the death of a public safety officer.

If convicted after trial of the charges contained in Counts Two and Four of the indictment, the government intends to seek a mandatory term of life imprisonment for each defendant. This sentence is authorized by the applicable statutes, and appears to be required by Sections 2A1.1, 2K1.3(c)(1)(B) and 2K1.4(c)(1) of the Federal Sentencing Guidelines, since the crime here involved a deliberate and premeditated design to kill another human being.

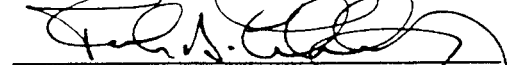
Very truly yours,

A. JOHN PAPPALARDO
United States Attorney

By:



PAUL V. KELLY
Assistant U.S. Attorney



FRANK A. LIBBY, JR.
Assistant U.S. Attorney

cc: Honorable Rya W. Zobel
U.S. District Judge