IN THE CIRCUIT COURT OF COLE COUNTY, MISSOURI DIVISION I

STATE OF MISSOURI,)	
	Plaintiff,)	
VS.)	Case No. 22AC-CR02320-01
DAMIEN LEE DAVIS,)	
	Defendant.)	

STATE'S NOTICE OF INTENT TO SEEK DEATH PENALTY

COMES NOW, the State of Missouri by Wm. Locke Thompson, Prosecuting Attorney, and hereby gives notice to Defendant, pursuant to Section 565.032.1, RSMo, that the State intends to seek the death penalty in this case by proving the following statutory aggravating circumstances:

- 1. The murder in the first degree was committed by a person with a prior record of convictions for serious assaults for the following:
 - a. On or about November 3, 2008, the defendant was found guilty to two counts of the felony of Domestic Assault in the Second Degree in the Circuit Court of Cole County, Missouri, in case number 08AC-CR02634-01. RSMo 565.032.2(1).
- 2. The murder in the first degree offense was committed while the offender was engaged in the commission or attempted commission of another unlawful homicide. RSMo 565.032.2(2).
- 3. The offender by his act of murder in the first degree knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person. RSMo 565.032.2(3).

Respectfully submitted,

<u>/s/ Wm. Locke Thompson</u>

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NOTICE OF HEARING

You are hereby notified that Plaintiff will call up this motion in the Circuit Court of Cole County, Division I, on September 19, 2023 at 1:00 p.m. or as soon thereafter as counsel may be heard.

<u>/s/ Wm. Locke Thompson</u> Wm. Locke Thompson #68437

CERTIFICATE OF SERVICE

A true and correct copy of this document is being filed electronically with the 19th Judicial Circuit Clerk's Office. The defendant is served through the electronic filing system on the 19th day of September, 2023.

/s/ Wm. Locke Thompson
Wm. Locke Thompson #68437