

ALLEN CIRCUIT COURT

FILED

No. 15-CR-00129

2016 MAR 11 AM 11: 50

COMMONWEALTH OF KENTUCKY

TODD R. CALVERT
ALLEN CIRCUIT COURT
BY _____ D.C.
PLAINTIFF

v. NOTICE OF INTENT TO SEEK DEATH PENALTY
AND NOTICE OF AGGRAVATING CIRCUMSTANCES

TIMOTHY W. MADDEN

DEFENDANT

Comes now The Commonwealth by and through the Commonwealth's Attorney, and pursuant to KRS 532.025, does hereby serve and give notice to the defendant, Timothy W. Madden, the Commonwealth will introduce and rely upon the following statutory aggravating circumstances:

- The offense of Murder was committed while the defendant was engaged in the act of Rape-First Degree.
- The offense of Murder was committed while the defendant was engaged in the act of Sodomy-First Degree.
- The offense of Kidnapping was committed while the defendant was engaged in the act of Rape-First Degree.
- The offense of Kidnapping was committed while the defendant was engaged in the act of Sodomy-First Degree.

A copy of the Indictment in Allen Circuit Court 15-CR-00129 is attached and incorporated in this notice.

Under KRS 532.025(2)(a)(2) any combination of the offenses of Murder and/or Kidnapping in conjunction with Rape-First Degree and/or Sodomy-First Degree are

statutory "Aggravating Circumstances" that allow for the imposition of the death penalty under Kentucky law. Based upon the aforementioned, the Commonwealth will ask that the jury receive all applicable verdict options up to and including the option to impose the death penalty.

FILED

2016 MAR 11 AM 11:00

TO: J. G. ALBERT
ALLIANCE DISTRICT C
BY: D. J.

A true copy of the foregoing was on this date mailed and faxed to Hon. Travis Locke, attorney of record for the defendant, P.O. Box 51472, Bowling Green, Kentucky 42101, fax 270-622-4285.

This 11th day of March, 2016.



Clint G. Willis
Commonwealth's Attorney
49th Judicial Circuit
107 Robey Street, P.O. Box 472
Franklin, Kentucky 42135
Phone (270) 586-5326
Fax (270) 586-4101

ALLEN CIRCUIT COURT

FILED

Indictment No. 15-CR-11184
(Direct Presentment in reference to District Court No. 15-E-00156)

2016 MAR 11 AM 11:51
T. J. CALVERT
ALLEN CIRCUIT COURT
BY _____ D.C.

COMMONWEALTH OF KENTUCKY

vs.

INDICTMENT

Timothy W. Madden
(SSN: 402-21-4288) (DOB: 2/24/1977)

DEFENDANT

COUNT ONE:

Kidnapping
KRS 509.040
(UOR 10072)
Capital Offense

COUNT TWO:

Rape, First Degree - Victim less than 12 years of age
KRS 510.040
(UOR 10996)
Class A Felony

COUNT THREE:

Sodomy, First Degree - Victim less than 12 years of age
KRS 510.070
(UOR 11186)
Class A Felony

COUNT FOUR:

Murder
KRS 507.020
(UOR 09150)
Capital Offense

THE GRAND JURY CHARGES that on or about November 14, 2015, in Allen County Kentucky, the above-named defendant committed the following offenses, to-wit:

COUNT ONE: The offense of Kidnapping when he unlawfully restrains Gabriella Doolin to accomplish or advance the commission of a felony or to inflict bodily injury to Gabriella Doolin, (a child under the age of 12) (victim was not released alive);

COUNT TWO: The offense of Rape, First Degree - Victim less than 12 years of age, when he engages in sexual intercourse by forcible compulsion with Gabriella Doolin and/or who was incapable of consent because she was less than twelve (12) years old, (victim received a serious physical injury as a result);

COUNT THREE: The offense of Sodomy, First Degree - Victim less than 12 years of age, when he engages in deviate sexual intercourse by forcible compulsion

with Gabriella Doolin and/or who was incapable of consent because she is less than twelve (12) years old, (victim received a serious physical injury as a result);

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COUNT FOUR: The offense of Murder when with intent to cause the death of another person, he causes the death of Gabriella Doolin, (a child under the age of 12);

ALLEN CIRCUIT COURT
BY _____ D.C.

against the peace and dignity of the Commonwealth of Kentucky.

DEFENDANT'S PRESENT
BAIL STATUS:

TRUE BILL

[Signature]
FOREMAN

\$100,000.00
Upon the foregoing indictment the defendant's bail is hereby fixed as follows:

Presented by the Foreman in the presence of the Grand Jury to the Court, and filed in open Court on this December 11, 2015.

100.00
The Clerk shall forthwith issue:
arrest warrant _____
criminal summons _____

[Signature]
Clerk, Allen Circuit Court

[Signature]
Judge

WITNESSES:
Det. Wesley Medley

INDICTMENT/MADDEN timothy DP (15F156)