

# Sniper suspects charged with capital murder

FAIRFAX, Va. (AP) — A Virginia prosecutor charged two suspects John Allen Muhammad and 17-year-old Lee Malvo with capital murder Wednesday in the killing of an FBI analyst, saying he believes he has sufficient evidence to go to trial immediately. Muhammad and Malvo, who have been accused in 17 shootings in four states and Washington, D.C., were charged with murder in the Oct. 14 shooting of Linda Franklin in the parking deck of a Home Depot store. They were also charged with using a firearm in the commission of a felony. Fairfax Commonwealth's Attorney Robert F. Horan Jr. said he waited longer than other prosecutors to bring charges because he wanted to see the evidence in the case. He said his decision to act now is "because I was satisfied I had enough evidence to go to trial."

It remained uncertain which jurisdiction will try the suspects. First Attorney General John Ashcroft said Wednesday the decision will be made after a "fact-driven analysis" of where prosecutors have the best evidence and the best law to bring about the death penalty. "I think it's well-understood on my part that I believe appropriate penalties for the kinds of atrocities that have been committed to include the ultimate sanction of the death penalty," Ashcroft told reporters.

The two men have been accused of killing 12 people and wounding five in Alabama, Louisiana, Maryland, Virginia and Washington, D.C. Muhammad was indicted in Fairfax County by a grand jury; Malvo was charged in a juvenile court petition, authorities said. Horan, who wouldn't discuss specific evidence in the case, rejected the idea that prosecutors have been bickering over who will try the snipers first. He called it "absolute nonsense."

"It's the duty of each of us to pursue homicide charges," Horan said. He said he will respect Ashcroft's decision about who prosecutes first, but if the attorney general defers to the states, Virginia should go first because it has a strong death penalty statute. "We have death penalty statute that has stood the test of time," Horan said.

Horan said that if the case is sent to Virginia, he'll meet with the prosecutors in Prince William and Spotsylvania counties, where fatal sniper shootings also took place, to decide who will prosecute first based on the best evidence. Investigations are pending into several other shootings, including one in Arizona.

"We have a death penalty statute that has stood the test of time."

— Robert F. Horan  
attorney

The Washington Post reported Wednesday that law enforcement sources said a laptop computer seized from Muhammad's car was stolen Sept. 5 in a robbery-shooting outside a pizzeria in Prince George's County, Md. An employee was wounded.

Federal prosecutors earlier filed charges against Muhammad under weapons and extortion laws that could bring the death penalty. Federal charges have also apparently been brought against Malvo, but authorities will not say so because he is a juvenile.

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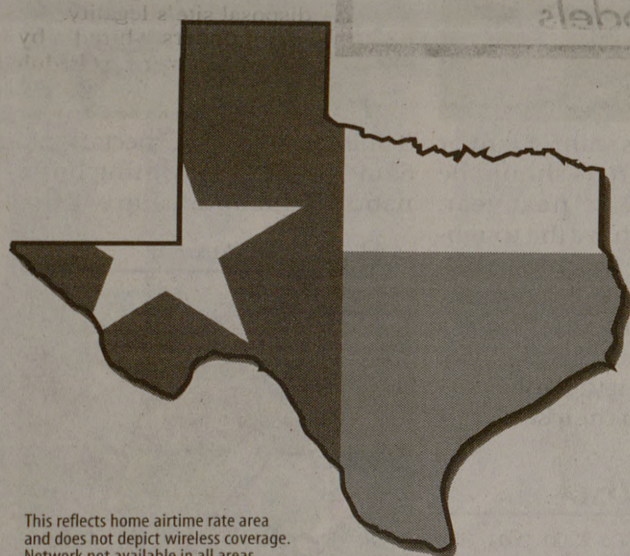
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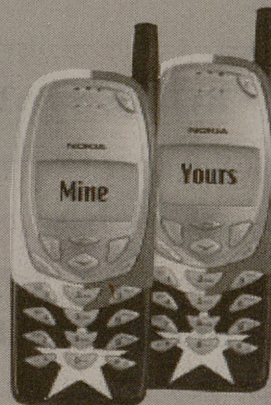
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Acet 229	Part 1 of 2 Mon Nov 11 3pm-6pm		
Econ 203	Part 1 of 2 Tue Nov 12 7pm-10pm	Part 2 of 2 Tue Nov 12 4pm-7pm	Part 3 of 2 Wed Nov 13 7pm-10pm
Fine 309	Part 1 of 4 Mon Nov 11 7pm-9pm	Part 2 of 4 Tue Nov 12 7pm-10pm	Part 3 of 4 Wed Nov 13 7pm-9pm
Fine 341	Part 1 of 4 Mon Nov 11 7pm-9pm	Part 2 of 4 Tue Nov 12 7pm-10pm	Part 3 of 4 Wed Nov 13 7pm-9pm
Info 303	Part 1 of 3 Mon Nov 11 9pm-12am	Part 2 of 3 Tue Nov 12 9pm-12am	Part 3 of 3 Wed Nov 13 9pm-12am
Info 305	Part 1 of 4 Sun Nov 10 9pm-12am	Part 2 of 4 Mon Nov 11 5pm-7pm	Part 3 of 4 Tue Nov 12 5pm-7pm
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