

Count 3 - **Attempted First Degree Murder** of A.R., in violation of K.S.A. 21-5301(a)(c)(1) and 21-5402(a)(1), a severity level 1 person felony;

Count 4 – **Aggravated Kidnapping** of L.W. in violation of K.S.A. 21-5408 (b)(c)(2), a severity level 1 person felony;

Count 5 - **Aggravated Kidnapping** of L.M. in violation of K.S.A. 21-5408 (b)(c)(2), a severity level 1 person felony;

Count 6 - **Aggravated Kidnapping** of A.R. in violation of K.S.A. 21-5408 (b)(c)(2), a severity level 1 person felony;

Count 7 – **Rape** of LW in violation of K.S.A. 21-5503(a)(1)(A), a severity level 1 person felony;

Count 8 – **Aggravated Criminal Sodomy** of LW in violation of K.S.A. 21-5504(b)(3)(A);

Count 9 - **Rape** of LW in violation of K.S.A. 21-5503(a)(1)(A), a severity level 1 person felony;

Count 10 - **Aggravated Criminal Sodomy** of LW in violation of K.S.A. 21-5504(b)(3)(A);

Count 11 – **Rape** of LW in violation of K.S.A. 21-5503(a)(1)(A), a severity level 1 person felony;

Count 12 – **Aggravated Criminal Sodomy** of LW in violation of K.S.A. 21-5504(b)(3)(A);

Count 13 – **Attempted Aggravated Robbery** of LW in violation of K.S.A.21-5301(a)(c)(1) and 21-5420(b)(1), a severity level 5 person felony;

Count 14 – **Aggravated Robbery** of LW in violation of K.S.A.21-5420(b)(1), a severity level 3 person felony;

Count 15 – **Aggravated Robbery** of LW in violation of K.S.A.21-5420(b)(1), a severity level 3 person felony;

Count 16 – **Attempted Aggravated Arson** of a Jeep occupied by LW and LM, in violation of K.S.A. 21-5301(a)(c)(1) and 21-5812(b)(1)(c)(2)(A)(i), a severity level 5 person felony;

Count 17 – **Criminal Possession of a Weapon**, a knife, in violation of K.S.A. 21-6304(a)(3)(A), a severity level 8 person felony.

II. Factual Basis

The parties agree that State’s evidence would show the following in support of the no contest pleas and a finding of guilt on Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17:

1. That LW was subsequently interviewed in the hospital by detectives with the Wichita police Department. If this matter would have gone to trial, LW and would testify to the following
 - a. That Hassan Lamont Wright, the paternal uncle of L.W., went to the residence LW shared with her children, L.M. (6 years of age) and A.R. (4 years of age), in Wichita, Kansas, and asked for a ride
 - b. That LW agreed and took Wright and her children in her red Jeep Commander. The children were strapped in their car seats in the back seat while LW drove and the defendant sat in the front passenger seat:
 - c. That once LM, her two daughters and Wright were driving in her Jeep, Wright became angry, brandished a large knife at LW and claimed a debt was owed to him by a member of LW’s family;
 - d. Wright directed LW to a rural area in Sedgwick County where he demanded she park and exit the vehicle. When she did as instructed,

Wright laid a towel on the ground, forced LW to the ground where he forced his penis into LW's vagina and also into her mouth. Wright accomplished the acts of penetration against the will of LW, by force. LW did not consent to the penetration of her mouth or her vagina by Wright's penis;

- e. Wright then brandished the knife and ordered LW to drive to an ATM machine where he demanded she withdraw U.S. Currency from the machine. When they arrived at the ATM machine in Sedgwick County, Kansas, LW was not able to produce her credit/debit card, so no money was withdrawn this first time, despite the Wright's demand that she do so while he brandished a knife;
- f. Wright then forced LW to return to the same rural area, while brandishing the knife. Once back at the same rural location in Sedgwick County, Kansas Wright again forced his penis into the mouth and the vagina of LW – for the second time that evening. Again, Wright accomplished the acts of penetration against the will of LW, by force. LW did not consent to the penetration of her mouth or her vagina by Wright's penis;
- g. Wright again forced LW to then drive to an ATM. This time, her credit card was located, and Wright forced LW to withdraw US Currency from the ATM machine while Wright was armed with the knife and seated directly next to LW in the Jeep Commander;
- h. A third time, Wright forced LW to return to the same rural area, while brandishing the knife. Once back at the same rural location in Sedgwick County, Kansas Wright again forced his penis into the mouth and the vagina of LW—for the third time that evening. Again,

Wright accomplished the acts of penetration against the will of LW, by force. LW did not consent to the penetration of her mouth or her vagina by Wright's penis;

- i. Wright again forced LW to then drive to an ATM for a third time. This time, her credit card was again located, and Wright forced LW to withdraw US Currency from the ATM machine while Wright was armed with the knife and seated directly next to LW in the Jeep Commander. This act was the second time that Wright forced LW to withdraw US Currency from the ATM while he was armed with the knife;
- j. Wright then tied LW's hands together and forced her to the floorboard of the Jeep Commander. Wright then drive the car to another rural area in North Sedgwick County, later identified as an are just West of 77th Street North and Ridge Road;
- k. Wright told LW he need to get "me off of you" and ordered LW, AR and LM to exit the vehicle. LW found a small pocket knife and cut herself free from the hand ties. She then used the knife to stab Wright in the neck and throw a black backpack Wright had brought with him. Wright, who was still armed with the knife, began to stab LW, AR and LM. LW and LM screamed for four (4) year old AR to run, which she did.
- l. Defendant then loaded LW and LM back into the Jeep Commander and returned to his residence in Haysville, Kansas. Once there, he obtained cooking oil and poured it on the interior of the jeep, on LW and LM and attempted, unsuccessfully, to light them on fire with a lighter;

- m. Wright then drove to a gas station north of the intersection of Lincoln and Oliver and went inside to purchase \$5.00 worth of gas. The amount of the purchase would be provided by the store employee;
 - n. Shortly after 6:00 a.m., November 4, 2016, LW, regained consciousness and, fearing Wright was purchasing a small amount of gas to light she and her child and the jeep on fire, moved herself to the driver's side of the Jeep and pushed on the gas. The car drove through a fence and struck a parked car in the Parklane Shopping Center where civilian witnesses located LW and her 6 year old daughter, LM;
2. LM was pronounced deceased at 7:05 hours on the morning of November 4, 2016. LW was taken into surgery to treat multiple stab wounds to her torso and abdomen;
 3. Later that morning, workers arriving at a business located near 77th Street North and Ridge, found AM walking. She was later treated for a stab wound and laceration to her abdomen.
 4. CSI investigators working for the Wichita Police Department located a bent knife, pooled blood, the house slippers of LW and the black backpack at the scene at 77th Street North. The black backpack was later examined and found to contain zip ties and a bottle of lighter fluid;
 5. An autopsy was conducted on the body of LM on November 4, 2016 at the Sedgwick County Regional Forensic Science Center by pathologist, Dr. Scott Kipper. The final autopsy report is not yet completed but the written Provisional Anatomic Diagnosis prepared by Dr. Kipper states that he found four (4) stab wounds to the "upper abdomen" which led to injuries to multiple internal organs. Other stab and "incise" wounds were

- also documented to LM's abdomen, hand and leg, some of which were noted as "superficial." Dr. Kipper listed the cause of death as "multiple stab wounds to the torso" and the manner of death as "homicide";
6. That on the night of November 3, into the early morning hours of November 4, 2016, when Mr. Wright was in possession of the knife, he had within the previous ten years been convicted of a felony, Aggravated Battery in Sedgwick county Kansas case number 06 CR 108, had been released from the Kansas department of corrections on March 7, 2016 and was not found to have been in possession of a firearm during the commission of the offense that gave rise to the conviction in 06CR108;
 7. That Mr. Wright did, beyond a reasonable doubt, with premeditation, intentionally cause the death of LM in Sedgwick County, Kansas on or between November 3 and November 4, 2016 in Sedgwick County, Kansas;
 8. That Mr. Wright did, beyond all reasonable doubt, commit all elements of the attempted premeditated murder of LW and the attempted premeditated murder of AM; three counts of aggravated kidnapping of (1) LW, of (2) LM and (3) AR; three counts of rape and three counts of aggravated criminal sodomy of LW; an attempted aggravated robbery of LW and two additional completed crimes of aggravated robbery of LW; a count of attempted arson for trying to set the Jeep containing LW and LM and finally one count of criminal possession of a Weapon. All these crimes were committed in Sedgwick County, Kansas on or between November 3, 2016 and November 4, 2016.

III. Sentencing Recommendation

In return for Defendant's successful plea of no contest as set forth in paragraph 1, the following recommendations will be made:

- a. The State agrees to the following recommendations regarding disposition:

As to Count 1, First Degree Premeditated Murder, an off-grid offense, the State will ask the sentencing court to follow Kansas law and impose a life sentence.

Because this act occurred after July 1, 2014, K.S.A. 21-6620(c) states that anyone convicted of premeditated murder "shall" be sentenced pursuant to the "Hard 50" as set forth in K.S.A. 2015 Supp. 21-6623. Meaning, because defendant is pleading no contest to first degree, premeditated murder, Kansas law presumes he would not be eligible for parole until he has served fifty (50) years in prison and that he would not be eligible for any "good time" reduction of his sentence. The parties agree to recommend the presumed life sentence, with parole eligibility only after Defendant has served fifty (50) years.

Defendant has further been informed that he will only be *eligible* for parole after he has served 50 years in prison. Defendant understands there is no guarantee he would *ever* be released on a grant of parole. Even if Defendant reaches his parole eligibility, the Kansas Secretary of Corrections has the option of granting parole or passing consideration of Defendant's parole for additional periods of time. There is in fact, no guarantee Defendant would ever be paroled. Given Defendant's current age, 47, he would have to live to be 97 years of age before he would be considered for parole.

The state will recommend the top number in the appropriate grid box as to all remaining counts, counts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17. In return for Defendant's plea as charged, the state will recommend the remaining counts run concurrent to Count one, First Degree premeditated murder.

Defendant also agrees to waive certain rights that are formalized in a separate waiver of rights documents to be associated with this plea agreement and filed in this case.

I understand and voluntarily accept the plea agreement set out in this document. Signed this ____ day of November, 2016.

Defendant

CERTIFICATE OF COUNSEL

We affirm that the above statement of the plea agreement is correct and approved both by counsel for the defendant and for the State of Kansas. Defense counsel further affirms that he has read this document, has fully discussed the same with the defendant, and that to the best of his knowledge knows the contents of the same to be true.

Marc Bennett #17237
District Attorney
535 North Main
Wichita, Kansas 67203

Mark Rudy #
Attorney for Defendant Mitchell
Chief Public Defender
Wichita, Kansas 67203

