



U.S. Department of Justice

United States Attorney

Western District of Washington

FOR IMMEDIATE RELEASE

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VIOLENT REPEAT OFFENDER SENTENCED TO NEARLY 22 YEARS IN PRISON

After More Than a Decade in State Prison, Defendant Tried to Claim "Sleepwalking Defense"

TERRY LAMELL EZELL, 41, of Seattle, Washington, was sentenced today in U.S. District Court in Seattle to 262 months in prison and five years of supervised release for Possession of Crack Cocaine with Intent to Distribute and being a Felon in Possession of a Firearm. EZELL was found by U.S. District Judge Ricardo S. Martinez to be both a Career Offender and an Armed Career Criminal. As an Armed Career Criminal, EZELL faced a mandatory 15 years in prison. At sentencing Judge Martinez said EZELL has "run rampant through the community leaving victims in his wake."

EZELL was convicted March 10, 2008, following a six day bench trial. According to records filed in the case, EZELL was arrested by Seattle Police on February 26, 2005, after he was pulled over for speeding. The officer discovered EZELL had outstanding warrants for domestic violence and obstruction. A search of EZELL's car revealed crack cocaine and a duffle bag with a Glock 22, 40-caliber handgun which had been stolen from a King County Deputy Sheriff in 2002. EZELL has prior King County adult felony convictions for Assault (1991, 1994), Burglary (1987, 1994), Theft (1989,1990), Possession of Stolen Property (1990), and Bail Jumping (1990), and is prohibited from possessing firearms. At trial, the defense tried to claim that EZELL had a sleep disorder and that he was essentially "sleepwalking" when he threw the drugs and the bag with the gun in the car he was driving. According to the defense, this mental condition precluded EZELL from forming the intent to commit these crimes. Judge Martinez rejected that defense.

In asking for the lengthy sentence, Special Assistant United States Attorney Andrew Colasurdo pointed to EZELL's lengthy criminal history. "The number of crimes committed by Ezell over the past 25 years is astonishing. Including the two felony crimes which are the subject of this sentencing, Ezell has been convicted of 17 felony offenses and 26 non-felony offenses," Mr. Colasurdo wrote in his sentencing memo.

At sentencing Judge Martinez indicated he was particularly troubled by a 1994 conviction. In court, Mr. Colasurdo described how EZELL went to his former girlfriend's home, "beat her up, chased her into a bathroom... put a gun to her head and threatened to kill her. He pulls the trigger, but luckily she dropped to the ground and the bullet missed her." Judge Martinez noted that "but for the fact that the woman dropped to the floor... he would, in all

likelihood, have been convicted of murder in that case.”

EZELL was prosecuted as part of the Project Safe Neighborhoods program. Unveiled by President George W. Bush in May 2001, Project Safe Neighborhoods (PSN), is a comprehensive and strategic approach to gun law enforcement. PSN is a nationwide commitment to reduce gun crime in America by networking both new and existing local programs that target gun crime and then providing them with the resources and tools they need to succeed. Implementation at the local level

- in this case, in King County-- has fostered close partnerships between federal, state and local prosecutors and law enforcement.

The case was investigated by the Seattle Police Department and the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF). The case was prosecuted by Assistant United States Attorney Nicholas Brown and Special Assistant United States Attorney Andrew Colasurdo. Mr. Colasurdo is a Deputy King County Prosecutor specially designated to prosecute gun cases in federal court.

For additional information please contact Emily Langlie, Public Affairs Officer for the United States Attorney's Office at (206) 553-4110.