

BRIEF OF THE SEALES

United States Court of Appeals,
Third Circuit.
UNITED STATES OF AMERICA, Appellee,
v.
Arthur SEALE, Appellant.
No. 92-5686.
January 20, 1993.

Appellant's Brief

***6 IV. STATEMENT OF FACTS**

Mr. Seale and his wife were charged with the extortion of Exxon Corporation and Exxon Company International. On April 29, 1992 the co-defendants implemented their plan to extort money from Exxon by abducting the president of Exxon International, Sidney Reso, from in front of the victim's home in Morris Township, New Jersey. Mr. Reso was held against his will from such time until May 3, 1992 when he died in captivity. The co-defendants engaged in a concerted effort to obtain \$18.5 million from Exxon and made various ransom demands through the use of telephones and notes. On the evening of June 18, 1992 the Seales attempted to effectuate their plan to obtain the ransom money. An extended plan was executed in which many agents of the Federal Bureau of Investigation trailed the Seales. The plan was eventually abandoned by the Seales for that evening, but they were arrested in the early morning hours of June 19, 1992 when they attempted to return a rental car used during the ransom attempt.

Mr. Seale had been employed as a patrolman for the Hillside, New Jersey police from 1968-1977 when he retired on a disability pension. (paragraph 210 of presentence report). On May 15, 1978 he was hired as an assistant security officer for Exxon Corporation in which his initial duty was to act as a chauffeur and transport Exxon executives (paragraph 213 of presentence report). He was promoted to coordinator of building and maintenance on September 1, 1980 and had administrative responsibilities for the operation of staff services at one of Exxon's office buildings. He eventually *7 became the head of group staff services for Exxon on July 1, 1985 until his retirement from the company on January 15, 1987 (paragraph 214 of presentence report). The Seale family then moved to Hilton Head, South Carolina and then Vail, Colorado and severe financial difficulties caused them to file bankruptcy on December 29, 1989. An order discharging debtors was signed and filed in the bankruptcy court on April 23, 1990 (paragraph 227 of presentence report).

Arthur Seale pled guilty to the entire federal indictment on September 8, 1992 describing in detail the criminal conduct of his wife and him. (App. 20a-75a) There was no plea bargain arrangement with the federal law enforcement authorities. On September 15, 1992 he pled guilty to the state charges of felony murder and kidnapping. He agreed to meet with probation officers from both federal and state courts in preparation for the presentence reports and explained his criminal conduct again (paragraphs 132-133 of presentence report) and expressed his remorse for the conduct advising that it was never his or his wife's plan to injure the victim. He also appeared on national television during an interview with Barbara Walters in which he expressed remorse for his actions.