

UNITED STATES DISTRICT COURT

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

APR 24 2008

Stephan Harris, Clerk
Cheyenne

FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA
V.
NATHANIEL SOLON

ORDER OF TEMPORARY DETENTION
PENDING TRIAL
Case Number: 07-CR-32-B

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the temporary detention of the defendant pending trial in this case.

Part I - Findings of Fact

- (1) The defendant is charged with an offense described in 18 U.S.C. §3142(f)(1) and has been convicted of a () that is
- (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- (3) A period of not more than five years has elapsed since the () for the offense described in finding (1).
- (4) Findings Nos. (1), (2), and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

- (1) There is probable cause to believe that the defendant has committed an offense
 - for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. §§ 841.
- (2) The defendant has not rebutted the presumption established by finding that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings (B)

- (1) There is probable cause to believe that the defendant has committed an offense.
- (2) There is a serious risk that the defendant will not appear.
- (3) There is a serious risk that the defendant will endanger the safety of another person or the community.

Part II - Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes by clear and convincing evidence that the defendant is a danger to the community. Among the factors leading to this conclusion are that (1) defendant twice violated the conditions of supervised release in a separate felony matter and (2) the present alleged offense was allegedly committed while defendant was on supervised release. The Court finds the defendant is essentially un-supervisable. Therefore, the Court will detain the defendant.

Part III - Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for the confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court appearance.

April 24, 2008
Date

William C. Beaman
Signature of Judicial Officer

William C. Beaman, U.S. Magistrate Judge
Name and Title of Judicial Officer