

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

UNITED STATES OF AMERICA,

Plaintiff,

ORDER FOR DETENTION  
PENDING SENTENCING

v.

06-CR-082-S-01

TIMOTHY D. FARLEY,

Defendant.

---

After entering a plea of guilty in the above entitled matter on March 15, 2006, defendant Timothy D. Farley moved pursuant to 18 U.S.C. § 3145 for release pending sentencing suggesting that he had clearly shown that there are exceptional reasons why his detention would not be appropriate.

18 U.S.C. § 3143(a)(2) and 18 U.S.C. § 3156(A)(4)(c) apply once convicted. The Court detained defendant pending sentencing pursuant to 18 U.S.C. § 3143 where a judicial officer shall detain unless by clear and convincing evidence finds the defendant does not pose a danger to the safety of any person or the community if released under 18 U.S.C. § 3142(b)&(c), which finding the Court cannot make.

Defendant has failed to clearly show that there are exceptional reasons why his detention would not be appropriate. While defendant has commenced counseling, that may continue during

the period of time that he is incarcerated. Additionally, it is a hardship to all families in mandatory detention cases. Defendant's conviction and the circumstances relating to it suggests it is premature to consider his release.

Accordingly,

ORDER

IT IS ORDERED that the defendant is committed to the custody of the United States Marshals Service for confinement at a County Jail separate 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 his attorney. On order of this Court or on request of an attorney for the government, said County Jail shall deliver the defendant to the Marshals Service for the purpose of an appearance in this case.

Entered this 2nd of June, 2006.

BY THE COURT:

S/

---

JOHN C. SHABAZ  
District Judge