

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

DE'ALLO GORDON,

Defendant.

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ORDER  
06-CR-103-S-01

The government's motion for review of defendant's release order came on to be heard before the Court in the above entitled matter on August 14, 2006, the plaintiff having appeared by Erik C. Peterson, United States Attorney for the Western District of Wisconsin, by Elizabeth Altman, Assistant United States Attorney; defendant in person and by Peter L. Steinberg. Honorable John C. Shabaz, District Judge, presided.

Subsequent to a hearing before the Honorable Stephen L. Crocker, United States Magistrate Judge, defendant was released during the pendency of this case upon his promise to obey standard conditions for all released defendants and those additional conditions set forth in the release order to include a pre-trial release plan wherein his mother, grandmother and brother were named as third-party custodians.

The Court has addressed those factors to be considered in determining whether defendant's conditions of release will reasonably assure his appearance as required. In doing so the

Court has determined that no condition nor combination of conditions will reasonably assure defendant's appearance. He is charged with crimes involving distribution of crack cocaine. The weight of the evidence against him is exceptionably strong based upon an audiovisual CD purporting to show defendant selling drugs to an informant and his confession. Defendant's criminal history includes two prior convictions for THC, three convictions for battery and disorderly conduct and one prior conviction for bail jumping. Relevant conduct in this matter may include 70 grams or more of crack cocaine. Although his family support is a positive factor, it has not deterred defendant from criminal activities in the past and there is nothing to suggest it will now. His need for 24/7 supervision can best be provided with detention.

He is not an appropriate candidate for release as he is a substantial flight risk.

Accordingly,

#### ORDER

IT IS ORDERED that the government's motion for review of release order is GRANTED and defendant is committed to the custody of the United States Marshals Service for confinement at the Dane 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

