

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-170-S-01

GRAYLAND T. HARVEY, JR.,

Defendant.

After entering a plea of guilty in the above entitled matter on December 6, 2006, defendant Grayland T. Harvey, Jr. was denied release pending sentencing.

18 U.S.C. § 3143(a) applies once convicted prior to sentencing. The Court detains the defendant pending sentencing pursuant to 18 U.S.C. § 3143 as here where it is unable to find by clear and convincing evidence that the defendant is not likely to flee or pose a danger to the safety of any person or the community if released under 18 U.S.C. § 3142(b)&(c).

Defendant's extensive criminal record dates to age 17 and includes possession of cocaine on two separate occasions and the manufacture/delivery of cocaine on another and numerous traffic violations to include driving while under the influence. Further, defendant has failed to appear for court 12 times since 2001. Defendant poses a significant flight risk and a danger to the community based upon his previous criminal history and failure to appear in the past for which no condition is available to assure his compliance.

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 6th of December, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge