

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS BALBOA-AYALA,

Defendant.

ORDER OF DETENTION
PENDING TRIAL

07-CR-38-C

At the April 24, 2007 arraignment the government moved pursuant to 18 U.S.C. §3142(f) to detain defendant Luis Balboa-Ayala pending his trial in this illegal re-entry case. Because defendant currently is in state custody on domestic violence charges and anticipates BICE will file a detainer, he does not wish to contest the government's motion at this time but he has reserved his right to a substantive release hearing in the future. Based on this and based on the currently unchallenged facts set forth in the pretrial service report, I find that the defendant is a flight risk and a danger to the community.

It is ORDERED that the defendant is committed to the custody of the United States Marshals Service for confinement at a proximate 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, the jail shall deliver the defendant to the Marshals Service for the purpose of an appearance in this case.

Dated: April 24, 2007

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge