

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SWANSON,

Defendant.

ORDER OF DETENTION
PENDING TRIAL

07-CR-64-S

On May 15, 2007, this court held a hearing pursuant to 18 U.S.C. §3142(f) on the government's motion to detain defendant Scott Swanson pending his trial in this marijuana trafficking conspiracy case. Because the grand jury charged defendant with offenses for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act, § 3142(e) imposes a rebuttable presumption that no combination of release conditions will assure defendant's appearance and the safety of the community. The government has solid evidence that defendant led a multistate marijuana trafficking ring. Although defendant has proposed a decent release plan, this court cannot trust him to comply with it. Witnesses report that defendant engaged in marijuana dealing soon after beginning state probation on a drug conviction, thus flouting the court's orders. Upon his arrest in the instant case, defendant telephoned a warning to his alleged co-conspirators urging them to clean out all the houses. There is no reason to believe defendant would follow this court's orders or appear when required, especially when facing a likely 8 to 10 year sentence if convicted.

Therefore, 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: May 16, 2007

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge