

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL AVILLA,
a/k/a Daniel Velasquez,

Defendant.

ORDER OF DETENTION
PENDING TRIAL

07-CR-76-C-09

At the May 15, 2007 initial appearance the government moved pursuant to 18 U.S.C. §3142(f) to detain defendant Daniel Avilla pending further proceedings in this check fraud prosecution. At this juncture all the evidence suggests that defendant is illegally present in this country but this cannot be verified because the government is not sure it has accurately identified the defendant. As a result, defendant presents a substantial risk of flight and there is no plan available to ameliorate this risk. Defendant is not contesting detention at this time but has reserved his right to a substantive de novo hearing upon request. Based on all this, I find that defendant presents a substantial risk of nonappearance.

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 24, 2007

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge