

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHNNY BRUCE MATTHEWS,

Defendant.

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ORDER OF DETENTION  
PENDING TRIAL

08-cr-106-bbc

At the July 8, 2008 arraignment the government moved pursuant to 18 U.S.C. §3142(f) to detain defendant Johnny Bruce Matthews pending his trial in this crack and powder cocaine prosecution. Because the grand jury charged defendant with offenses for which a maximum term of imprisonment exceeding ten years 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. Because defendant currently is in state custody, he is not contesting detention at this time but he has reserved his right to a substantive hearing upon request. Based on the statutory presumption and the currently uncontested information in the pretrial services report, I find that defendant is a flight risk and a danger to the community.

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: July 8, 2008

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge