

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

UNITED STATES OF AMERICA,

v.

Plaintiff,

ANTONIO ROBERTS,

Defendant.

ORDER OF DETENTION

08-cr-114-bbc

On February 15, 2008, this court held a hearing pursuant to 18 U.S.C. §3142(f) on the government's motion to detain defendant Antonio Roberts in this felon-with-a-gun case. Defendant's alleged possession of the handgun occurred over a year ago under alarming circumstances: defendant was shot several times, probably while driving; then apparently he hid his own unfired handgun before seeking medical attention. While under state court supervision over the past year, defendant remained basically trouble free but when he was arrested in the instant case he was in possession of an empty plastic bag that contained residue that field-tested positive for heroin. Heroin is not defendant's drug of choice; however, his previous felony drug conviction involved heroin. Defendant admits to prior gang membership in Chicago but claims to have ended his affiliation. Although defendant doesn't work, he and his girlfriend, who works in a bank, have \$6000 in savings. The lynchpin fact establishing that defendant is a danger to the community is his possession of the heroin-dusted bag while he was under court supervision. The other facts coalesce clearly and convincingly in support of the conclusion that defendant is dealing drugs. It appears that he already has flouted his state court conditions of supervision; therefore, I cannot trust him to comply with any conditions this court might impose.

It is ORDERED that 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 the 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: February 15, 2008

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge