

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANNY TURNER,

Defendant.

ORDER OF DETENTION
PENDING TRIAL

08-cr-22-bbc

On March 5, 2008, this court held a hearing pursuant to 18 U.S.C. §3142(f) on the government's motion to detain defendant Danny Turner pending his trial in this crack distribution case. Because the grand jury charged defendant with an offense 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 sold crack to an undercover officer three times, commencing about a month after defendant concluded state supervision on a previous drug trafficking conviction. Defendant has four prior drug convictions and four probation revocations in the past ten years, dating back to age 17. It appears that just about the only time defendant is not selling drugs is when he is in custody. Defendant is a danger to the community, and because of the substantial sentence he faces if convicted, a clear flight risk as well.

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: March 6, 2008

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge