

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY HARRISON HILL,

Defendant.

ORDER OF DETENTION
PENDING TRIAL

09-cr-06-bbc

On January 21, 2009, this court held a hearing pursuant to 18 U.S.C. §3142(f) on the government's motion to detain defendant Bradley Harrison Hill in this methamphetamine trafficking prosecution. 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, Section 3142(e) imposes a rebuttable presumption that no combination of release conditions will assure defendant's appearance and the safety of the community. As explained more thoroughly at the hearing, there are two impediments to Hill's release. First, if the government's evidence is that Hill was selling eight-balls of methamphetamine while on state release, then he is not getting out. Evidence that Hill was committing drug felonies while under another court's supervision would establish an irremediable dangerousness. If, however, Hill was buying methamphetamine to feed his own habit, then he may be releasable if he can come up with an adequate treatment program and funding for it. Absent this, there is no hope that Hill would be able to comply with other release conditions that this court might impose.

Therefore, 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 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: January 22, 2009

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge