UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

FILED
APR 23 2010
CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

UNITED STATES OF AMERICA, Plaintiff,	)	2:07-cr-00300-MCE
v.	)	**DETENTION ORDER** (Violation of Pretrial Release, Probation or Supervised Release)
OSCAR VILLARREAL, Defendant.	)	

___ After a hearing pursuant to 18 U.S.C. § 3148 (violation of pretrial release order), the court finds :

___ there is probable cause to believe the person has committed a federal, state or local crime while on release and defendant has not rebutted the presumption that his release will endanger another or the community or

___ there is clear and convincing evidence that defendant has violated **another** condition of release and

___ based on the factors set forth in 18 U.S.C. § 3142(g) there is no condition or combination of conditions of release that will assure that the defendant will not flee or pose a danger to the safety of another person or the community or

___ the person is unlikely to abide by any condition or combination of conditions of release. F.R.Cr.P. 32.1(a)(D), 46(c), 18 U.S.C. § 3148.

X After a hearing pursuant to F.R.Cr.P. 32.1(a)(6) and 46(c) and 18 U.S.C. § 3143 (violation of probation or supervised release) the court finds there is probable cause to believe defendant has violated a condition of probation or supervised release and defendant has not met his burden of establishing by clear and convincing evidence that he will not flee or pose a danger to another person or to the community. 18 U.S.C. § 3143.

IT IS ORDERED that pursuant to 18 U.S.C. § 3142(i)(2)-(4) defendant is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with his counsel. Upon further order of a court of the United States or request of an attorney for the United States the person in charge of the corrections facility in which defendant is confined shall deliver defendant to a United States Marshal for purpose of an appearance in connection with a court proceeding.

DATED: 4/23/10

UNITED STATES MAGISTRATE JUDGE