HEATHER E. WILLIAMS, #122664
Federal Defender
MIA CRAGER, #300172
Assistant Federal Defender
Designated Counsel for Service
801 I Street, 3rd Floor
Sacramento, CA 95814
Telephone: 916-498-5700/Fax: 916-498-5710

Attorney for Defendant
MICHAEL MAXWELL

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MICHAEL MAXWELL, Defendant.	Case No. 2:17-cr-00101-TLN STIPULATION FOR RELEASE OF PERSON IN CUSTODY Judge: Hon. Deborah Barnes

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel, Assistant United States Attorney Heiko Coppola, counsel for plaintiff, and Assistant Federal Defender Mia Crager, counsel for defendant Michael Maxwell, that Mr. Maxwell may be released, pursuant to 18 U.S.C. §§ 3142 & 3143, from Sacramento County Jail to the inpatient drug treatment program at Wellspace Health on Friday, October 27, 2023 at 9:00 a.m. The factual and procedural basis for this stipulation is as follows:

On February 3, 2022, Mr. Maxwell pled guilty to a violation of 18 U.S.C. § 39A (aiming laser pointer at aircraft). Mr. Maxwell was out of custody during the underly proceedings.

On September 7, 2023, Mr. Maxwell was sentenced to time served of 1 day, followed by a one-year term of supervised release. He reported immediately after sentencing to probation. He reported again in person to probation on September 19, at which time he tested dirty for and

admitted to using marijuana and methamphetamine. On that date he voluntarily agreed to amend his conditions of release to include in-patient treatment. Dkt. 152.

Unfortunately, when his inpatient treatment condition was added, there was no bedspace available at an inpatient program. Subsequently, on September 29, probation filed a violation petition alleging the dirty test on September 19 and that Mr. Maxwell violated his ankle monitoring condition on September 27 and 28 but leaving his reported residence after the hours permitted. Dkt. 153. Mr. Maxwell made his initial appearance on these charges on October 11. At the hearing before the Hon. Jeremy D. Peterson, the parties indicated that, with the concurrence of U.S. Probation, Mr. Maxwell remained on the waitlist at Wellspace and that the parties agreed that release from custody was appropriate when bedspace became available. Mr. Maxwell was ordered detained, as a bed was not yet available on October 11, 2023.

On October 25, the probation officer notified the parties that Wellspace will have a bed available and reserved for Mr. Maxwell on Friday, October 27. The parties therefore now file this stipulation for Mr. Maxwell's release to the program. The parties now agree and stipulate, with the concurrence of the probation officer, that release is appropriate under 18 U.S.C. § 3142 and § 3143 to release Mr. Maxwell in light of the availability of an in-patient drug treatment program, which was previously added to his conditions of release. Dkt. 152.

DATED: October 26, 2023

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Public Defender

/s/ Mia Crager
MIA CRAGER
Assistant Federal Defender
Attorney for Defendant

PHILLIP A. TALBERT
United States Attorney

DATED: October 26, 2023

/s/ Heiko Coppola
HEIKO COPPOLA
Assistant United States Attorney
Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED that Michael Maxwell be released from custody at 9:00 a.m. on October 27, 2023. Mr. Maxwell shall report directly to the inpatient substance abuse treatment program at Wellspace Health. He shall remain on the previously imposed conditions of supervised release, as amended on September 21, 2023 (Dkt. 152). While at Wellspace, Mr. Maxwell shall submit to location monitoring as set out in Special Condition #5 (Dkt. 151).

Dated: October 26, 2023

DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE