IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	**8:13CR105**
	)	
vs.	)	**ORDER**
	)	
ZACKARY AUSTIN,	)	
	)	
Defendant.	)	

This matter is before the court on the motion of the government for the detention of defendant Zackary Austin (Austin) made during the arraignment on May 23, 2013. Austin is charged in the Indictment with engaging in a child exploitation enterprise (Count I) in violation of 18 U.S.C. § 2252A(g) which carries a minimum sentence of twenty years imprisonment and a maximum of life imprisonment; a conspiracy to advertise child pornography (Count II) in violation of 18 U.S.C. § 2251(d) and (e) which carries a minimum sentence of fifteen years imprisonment and a maximum of thirty years imprisonment; a conspiracy to distribute child pornography (Count III) in violation of 18 U.S.C. § 2252A(a)(2) and (b)(1) which carries a minimum sentence of five years imprisonment and a maximum of twenty years imprisonment; and four counts of accessing child pornography with intent to view (Counts IV-VII) in violation of 18 U.S.C. § 2252A(a)(5)(B) each carrying a maximum sentence of ten years imprisonment. At the time of Austin's appearance before the court, Austin was serving a 97 month sentence in the Bureau of Prisons (BOP) at La Tuna Federal Correctional Institute (La Tuna FCI) in Anthony, Texas, for a conviction for possessing child pornography imposed on November 6, 2012, by the U.S. District Court for the District of Nevada. Austin's projected release date from the BOP is January 21, 2019.

The motion for detention is granted due to the nature of the charges in the Indictment and the defendant's criminal history making him both a flight risk and a danger to the community. When Austin is returned to La Tuna FCI, the U.S. Marshal shall place a detainer with the warden of such facility.

IT IS SO ORDERED.

DATED this 30th day of May, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

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