

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 3:07-CR-155
) (Jordan / Shirley)
 ERIC ANTONIO TATE,)
)
 Defendant.)
)

MEMORANDUM AND ORDER

This matter is scheduled to come before the Court on December 10, 2007, for a detention hearing pursuant to 18 U.S.C. §§ 3141 and 3142. Defendant Eric Antonio Tate has been charged in a two count indictment [Doc. 1] and made an initial appearance before this Court on December 3, 2007. At that time, Attorney Donny Young entered an appearance as counsel of record for Mr. Tate and the United States moved for his detention pending the trial of this matter. A detention hearing was scheduled for December 10, 2007, at 2:00 p.m.

On December 6, 2007, Attorney Donny M. Young filed a Motion to Continue Detention Hearing [Doc. 3] stating that he will require more time to investigate and prepare for the hearing and that it is in the defendant's best interest to continue the hearing. There is no provision in the Bail Reform Act 18 U.S.C. § 3141, et al. to continue a detention hearing indefinitely. Further, the Court has been notified by the Pretrial Services Officer that there may be other concerns that need to be addressed at the earliest possible date. For these reasons, the Court finds it is in Mr. Tate's best interest to leave the detention hearing scheduled for December 10, 2007. At that time, the Court will confirm Attorney Young's representation and Mr. Tate may either waive his right to this detention

hearing, reserving his right to ask for one at a later date; go forward with the hearing; or the parties will select a new date on which the detention hearing will be held.

Accordingly, Motion to Continue Detention Hearing [**Doc. 3**] is **DENIED**. This Court will proceed as described herein on **December 10, 2007, at 2:00 p.m.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge