

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

US COURTS
2004 OCT 26 AM 9:06

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
Kirk Gregory Denino,)
Defendant.)

CR 04-189-530 C
Waiver of Detention Hearing
ORDER OF DETENTION

WAIVER OF DETENTION HEARING

I have appeared before the Chief United States Magistrate Judge in the District of Idaho, who has advised me of the provisions of 18 United States Code, Section 3142(f) and of my right to have a detention hearing pursuant to the Bail Reform Act of 1984. I wish to waive my right to such hearing and further understand and agree that the Court may enter a detention order based on the grounds set forth in the motion for a detention hearing filed by the United States.

(a) I have been advised, at the hearing that I have a right to be represented by counsel, and, if financially unable to obtain adequate representation, to have counsel appointed for me.

(b) That at the hearing I would be afforded an opportunity to testify, to present witnesses on my own behalf, to cross examine witnesses who appear at the hearing and to present information by proffer or otherwise.

(c) I consent to the issuance of an order detaining me prior to further District Court proceedings.

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Defense Counsel

DATED this day of OCTOBER 2004.



Signature of Defendant

ORDER OF DETENTION

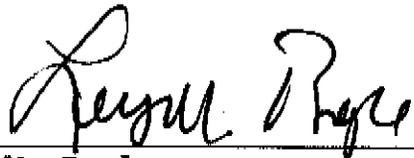
Based upon the foregoing Waiver,

IT IS HEREBY ORDERED that the Defendant be detained prior to further court proceedings that will be set by the U.S. District Court without prejudice;

IT IS FURTHER ORDERED that the Defendant be committed to the custody of the United States Marshal for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

IT IS FURTHER ORDERED that the Defendant be afforded reasonable opportunity for private consultation with his counsel; and, IT IS FURTHER ORDERED that the director of the correctional facility in which the Defendant is confined shall make the Defendant available to the United States Marshal for the purpose of appearance in connection with a Court Proceeding.

DATED this ^{20th} day of OCTOBER 2004.



Larry M. Boyle,
Chief United States Magistrate Judge

United States District Court
for the
District of Idaho
October 26, 2004

* * CLERK'S CERTIFICATE OF MAILING * *

Re: 1:04-cr-00189

I certify that I caused a copy of the attached document to be mailed or faxed to the following named persons:

Aaron N Lucoff, Esq. 1-208-334-1413
US ATTORNEY'S OFFICE
MK Plaza, Plaza IV
800 Park Blvd #600
Boise, ID 83712

Thomas Monaghan, Esq. 1-208-388-1757
FEDERAL DEFENDER'S OFFICE
350 N 9th St #301
Boise, ID 83702

U.S. Marshal
HAND DELIVERED

Probation
HAND DELIVERED

____ Chief Judge B. Lynn Winmill
 Judge Edward J. Lodge
 Chief Magistrate Judge Larry M. Boyle
____ Magistrate Judge Mikel H. Williams

Visiting Judges:
____ Judge David O. Carter
____ Judge John C. Coughenour
____ Judge Thomas S. Zilly

Cameron S. Burke, Clerk

Date: 10-26-04

BY: 
(Deputy Clerk)