

1 THOMAS E. MOSS  
 2 UNITED STATES ATTORNEY  
 3 MICHAEL J. FICA  
 4 ASSISTANT UNITED STATES ATTORNEY  
 5 DISTRICT OF IDAHO  
 6 801 EAST SHERMAN AVENUE, #192  
 7 POCATELLO, IDAHO 83201  
 8 TELEPHONE: (208) 478-4166

U.S. DISTRICT COURT  
 DISTRICT OF IDAHO  
 Filed at \_\_\_\_\_ M

SEP 14 2004

CLERK, U.S. DISTRICT COURT  
 By \_\_\_\_\_ Deputy

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

9 UNITED STATES OF AMERICA,

10 vs.

11 ALFREDO NUNO,

12 Defendant.

CASE NO: CR 02-232-E-BLW

MOTION FOR DETENTION  
 HEARING

13  
 14 COMES NOW Michael J. Fica, Assistant United States Attorney for the District of  
 15 Idaho, and moves the Court, pursuant to 18 U.S.C. §§3142(a)(4) and 3142(e), for an order  
 16 directing that a hearing be held for the purpose of holding the defendant without bail prior to  
 17 trial.

18  Pursuant to Title 18 U.S.C. §3142(f), the United States asks for a continuance of  
 19 three (3) days from the date of the defendant's first appearance before a judicial officer. The  
 20 prosecution will introduce evidence as follows pursuant to the specific sections of Title 18,  
 21 U.S.C., as indicated:

22 ( ) §3142(f)(1)(A) - a crime of violence;

23 ( ) §3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment

24 or death;

25 ( X ) §3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten  
 26 years or more is prescribed in the Controlled Substances Act (21 U.S.C. 801, et seq.), the

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1 Controlled Substances Import and Export Act (21 U.S.C. 951, et seq.), or Section 1 of the Act  
2 of September 15, 1980 (21 U.S.C. 955a);

3 ( ) §3142(f)(1)(D) - any felony committed after the person had been convicted of two  
4 or more prior offenses described in §3142(f)(1)(A) through (C), or two or more State or local  
5 offenses that would have been offenses described in §3142(f)(1)(A) through (C) if a  
6 circumstance giving rise to Federal jurisdiction had existed;

7 ( X ) §3142(f)(2)(A) - a serious risk that the person will flee;

8 ( X ) §3142(f)(2)(B) - a serious risk that the person will:

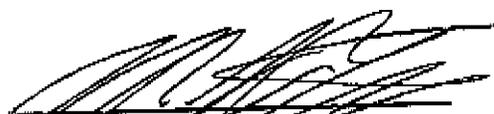
9 ( ) obstruct or attempt to obstruct justice, or

10 ( ) threaten, injure, or intimidate, or attempt to threaten, injure, or  
11 intimidate, a prospective witness or juror; or

12 ( X ) otherwise pose a danger to any other person or the community.

13 Dated this 14<sup>th</sup> day of September, 2004.

14 THOMAS E. MOSS  
United States Attorney

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17 MICHAEL J. FICA  
Assistant United States Attorney  
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