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9 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

10 UNITED STATES OF AMERICA,

11 vs.

12 RAMON LOPEZ-VASQUEZ,

13 Defendant.

CASE NO: CR-04- 182-E-BLW

MOTION FOR DETENTION
 HEARING

14 COMES NOW Michelle R. Mallard, Assistant United States Attorney for the District
 15 of 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 () §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:

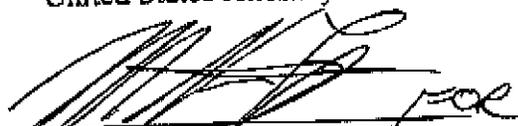
9 () obstruct or attempt to obstruct justice, or

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 21st day of September, 2004.

14 THOMAS E. MOSS
United States Attorney

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16 MICHELLE R. MALLARD
17 Assistant United States Attorney
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