

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

U.S. DISTRICT COURT
SEP 20 PM 4:41
CLERK OF COURT
POCATELLO, IDAHO

8 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

9 UNITED STATES OF AMERICA,)

10 vs.)

11)
12 FRANCISCO UBALDO)
13 ERIVES-ALTAMIRANO,)

14 Defendant.)

CASE NO: CR 04-193

MOTION FOR DETENTION
HEARING

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

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

23 () §3142(f)(1)(A) - a crime of violence;

24 () §3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment
25 or death;

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

2

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:

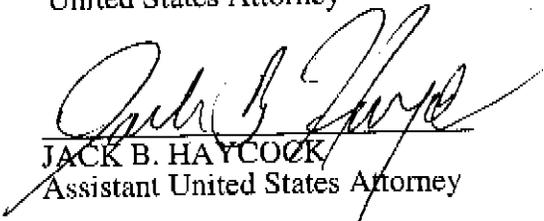
9 () obstruct or attempt to obstruct justice, or

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 18 day of September, 2004.

14 THOMAS E. MOSS
United States Attorney

15
16 
17 JACK B. HAYCOCK
Assistant United States Attorney
18
19
20
21
22
23
24
25
26
27