

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:04CR274-1

UNITED STATES OF AMERICA :
 :
 v. : MOTION TO TRANSFER
 : TEMPORARY CUSTODY
 [REDACTED] :

NOW COMES the Defendant, moving this Court for an order transferring temporary custody of the Defendant to the Bureau of Prisons. In support of this motion, the Defendant shows unto the Court as follows:

1. By Order entered February 15, 2005, the Court temporarily transferred the Defendant's custody to FMC Butner for psychological and medical reasons.

2. On May 31, 2005, the Defendant appeared before the district court for the entry of his guilty plea. Thereafter, the U.S. Marshal attempted to have the Defendant returned to FMC Butner for his continued mental and physical care.

3. The BOP has construed this Court's February 15, 2005, Order to have expired.

4. The Defendant is physically present at FMC Butner as of this date but will be returned to the U.S. Marshal unless the Court enters another Order directing that the Defendant be held at FMC Butner until his sentencing hearing, presently set for September 20, 2005.

5. Undersigned counsel has spoken with the attorney for the government. The government has indicated that it has no

objection to transferring the Defendant's temporary custody to BOP for the Defendant to be held at FMC Butner until his sentencing hearing.

WHEREFORE, the Defendant respectfully requests that his custody be temporarily transferred to the BOP pending the Defendant's sentencing in this case.

This the ____ day of December, 2010.

THOMAS N. COCHRAN
Assistant Federal Public Defender
N.C. State Bar No. 13874
101 S. Elm Street, Suite 210
Greensboro, NC 27401
Telephone: (336) 333-5455

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the foregoing upon Mr. Michael F. Joseph, Assistant United States Attorney for the Middle District of North Carolina, Post Office Box 1858, Greensboro, NC, 27402, by faxing, by hand delivering, or by mailing a copy of the same.

This the _____ day of December, 2010.

Thomas N. Cochran