

Defendant is not released on pretrial release, he will have served more time by the time of his sentencing hearing than is provided for in his sentencing guideline range.

In further support of this Motion, the Defendant shows unto the Court the following facts. The Defendant was born in [REDACTED] NC, and was raised and has lived since that time in [REDACTED] NC. He graduated from [REDACTED]. His parents, , reside in [REDACTED] NC. The Defendant has one son who resides in [REDACTED] NC, and two sons who reside in [REDACTED] NC. The Defendant is a licensed plumber, and was most recently employed by [REDACTED] of [REDACTED] NC.

The Defendant has admitted that he used his brother's name in applying for a passport, and that he used that passport to travel to Australia to visit his fiancée,. Ms. will be traveling to North Carolina, and will arrive on November 16, 2001, after which the Defendant and Ms. intend to be married. The Defendant has no prior criminal convictions, and has one failure to appear on pending charges in Davie County while he was in Australia.

The Defendant's offense is a non-violent, relatively non-serious offense. The Defendant already has executed a Plea Agreement, and will enter a plea of guilty at his arraignment in

November of 2001. Because of the Defendant's significant local ties, his lack of criminal record, and the nature of the offense with which he is charged, the government cannot show that he would be a danger to the community or a risk of flight. The Defendant is willing to submit to any set of conditions of pretrial release as the Court may deem appropriate.

Therefore, the Defendant respectfully requests that this Court review the Order of Detention set by the court in California, and further request the Court to order his release on conditions which the Court deems appropriate.

Respectfully submitted, this the _____ day of October, 2001.

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WILLIAM C. INGRAM
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing Motion For Reconsideration of Detention Order by United States Mail or by hand delivery upon:

Arnold L. Husser, Esq.
Assistant United States Attorney
P. O. Box 1858
Greensboro, NC 27402

This the ___ day of October, 2001.

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WILLIAM C. INGRAM
First Assistant Federal Public Defender

reconsideration of detention order.wpd