United States District Court

DISTRICT OF KANSAS

UNITED STATES OF AMERICA

V

ORDER OF DETENTION PENDING TRIAL

SHAUNE FRAZIER Defendant In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case. (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a (federal offense) (state or local offense that would have been a federal offense feel a circumstance giving rise to federal jurisdiction had existed) that is a crime of violence as defined in IS U.S.C. § 316(a)(4). an offense for which the maximum sentence is life imprisonment or death. an offense for which a maximum term of imprisonment of ten years or more is prescribed in a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in finding (1). (1) The offense described in finding (1) asso committed while the defendant was on release pending trial for a federal, state or local offense. (2) The offense described in finding (1). (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding (1). (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presumption. Alternative Findings (A). (1) There is probable cause to believe that the defendant has committed an offense in the offense of the defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant are supported and the safety of the community. Alternative Findings (B) (1) There is a serious risk that the defendant will endanger the safety of another person or the community. Part II - Written Statement of Reasons for Detention The defendant has not rebutted to t			••	ORDER OF BETEINTION TEMPER OF TRAILE		
require the detention of the defendant pending trial in this case. Part 1 - Findings of Fact The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a (federal offense) (state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed) that is a crime of violence as defined in 18 U.S.C. § 3156(a)(4). an offense for which the maximum sentence is life imprisonment or death. an offense for which a maximum term of imprisonment of ten years or more is prescribed in				Case Number: 07-20018-01-JWL-DJW		
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a crime of violence as defined in 18 U.S.C. § 3156(a)(4). an offense for which the maximum sentence is life imprisonment or death. a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f) (f)(A)-(C), or comparable state or local offenses. (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense. (3) A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding (1). (4) Findings Nos, (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of another person(s) and the community. I further find that the defendant has not rebutted this presumption. Alternative Findings (A) (1) There is probable cause to believe that the defendant has committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in		(1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a (federal offense				
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a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f) (1)(A)-(C), or comparable state or local offenses. 3 The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense. 3 A period of not more than five years has elapsed since the (date of conviction) (release of the defendant from imprisonment) for the offense described in finding (1). 4 Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an)other person(s) and the community. I further find that the defendant has not rebutted this presumption. Alternative Findings (A) 5 There is probable cause to believe that the defendant has committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in under 18 U.S.C. § 924(c). 6 Use the defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community. Alternative Findings (B) 6 Use the defendant will endanger the safety of another person or the community. Part II - Written Statement of Reasons for Detention 1 Find that the credible testimony and information submitted at the hearing establishes by (clear and convincing evidence) (a preponderance of the evidence) that 1 Defendant waived a detention hearing in anticipation of a detainer from the State of Arizona. The Court therefore orders defendant to remain detained pending further hearing. 1 Part III - Directions Regarding Detention 1 The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant wall be afforded a			an offense for which a maximum term of imprisonme	ent of ten years or more is prescribed in		
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