

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,	}	
	}	
Plaintiff,	}	
v.	}	Case No. 10-40115-01-RDR
	}	
OSCAR ROMERO,	}	
	}	
Defendant.	}	

**AGREED ORDER GRANTING REVOCATION
OF THE DEFENDANT’S PRETRIAL RELEASE**

This matter comes before the Court on a petition seeking revocation of the defendant’s pretrial release (Doc. 21), alleging that he violated the conditions of his pretrial release by failing to voluntarily surrender to the Bureau of Prisons for service of his sentence on June 13, 2011 as directed.

The parties, the United States of America, by and through Special Assistant United States Attorney, Duston J. Slinkard, and the defendant, Oscar Romero, personally and by and through defendant’s counsel, Melody J. Evans, jointly inform the Court of the following:

1. Substantially the same allegation contained in the instant petition has now given rise to an indictment charging the defendant with failure to surrender in violation of 18 U.S.C. § 3146(a)(2) in District of Kansas Case No. 11-40063-01-JAR.

2. The defendant was arrested and made a first appearance on this new indictment in the Western District of Texas on November 30, 2011. Case No. 11-40063-01-JAR, Doc. 2.

3. During the first appearance in Texas, the defendant did not contest the government's motion for detention and was ordered detained and committed to the U.S. Marshals Service for transfer to the District of Kansas. *Id.*

4. On December 27, 2011, the defendant made his first appearance in this district on the new indictment, was arraigned, and was remanded to the custody of the United States Marshals Service pending further proceedings in Case No. 11-40063-01-JAR. , Doc. 5.

5. Accordingly, the parties jointly suggest to the Court that the issue of the defendant's continued release in the instant case has been rendered moot by his detention in Case No. 11-40063-01-JAR.

6. The parties further jointly request that the Court enter this Agreed Order granting the Petition for Revocation of the defendant's pretrial release in the instant case (Doc. 21) and remanding the defendant to the custody of the United States Marshals Service to be held until the completion of proceedings in Case No. 11-40063-01-JAR, at which time he may be delivered into the custody of the Bureau of Prisons for execution of his pending sentence.

The Court has reviewed the record in both the instant case and Case No. 11-40063-01-JAR, as well as the parties' jointly proposed Agreed Order, and finds it appropriate that the petition (Doc. 21) be granted and the Agreed Order be entered.

IT IS THEREFORE ORDERED that the petition for seeking revocation of the defendant's pretrial release (Doc. 21) is hereby GRANTED.

IT FURTHER ORDERED that the defendant's pretrial release is hereby revoked, and the defendant is remanded to the custody of the United States Marshals Service to be delivered into the custody of the Bureau of Prisons for execution of his pending sentence upon the conclusion of proceedings here in the District of Kansas in Case No. 11-40063-01-JAR.

IT IS SO ORDERED.

Dated this 9th day of January, 2012 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge

Submitted and Approved by:

s/ Duston J. Slinkard
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s/ Melody J. Evans

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Date: January 6, 2011