

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 10-00320-12-CR-W-DGK
)	
DESHAUN LAUTEEK CERUTI,)	
)	
Defendant.)	

**GOVERNMENT’S RESPONSE IN OPPOSITION TO
DEFENDANT’S MOTION TO REVOKE DETENTION ORDER
AND REQUEST TO SET BOND**

Comes now the United States of America, by Beth Phillips, United States Attorney, and the undersigned Assistant United States Attorney, both for the Western District of Missouri, and hereby offers its Response in Opposition to Defendant’s Motion to Revoke Detention Order and Request to Set Bond.

SUPPORTING SUGGESTIONS

1. For the purposes of this Response, the Government adopts the “Background,” “Findings of Fact” and “Conclusions” sections of Chief United States Magistrate Judge Robert E. Larsen’s Order of Detention in this case.

2. Defendant’s allegations of the Government’s failure to “show the weight of the evidence against Mr. Ceruti ” are simply inaccurate at best and irrelevant in any case. This was an indictment, not a complaint. There was no requirement for the Government to produce at the detention hearing ANY evidence of the crimes charged in the indictment against Ceruti.

3. What the record undisputedly shows is that the Government produced evidence of the defendant’s extensive criminal conviction and arrest history and the fact that he ran from

officer's after having committed yet another armed assault. This doesn't even address the fact that he has outstanding warrants in another city.

4. As for the "without contradiction" allegation of Ceruti's claims of "declined for prosecution," the Government wouldn't characterize Government Counsel's cross examination of Ceruti in those terms.

5. The Government produced sufficient evidence on each prong of detention - presumption of detention, safety of the community, risk of flight - and all were thoroughly vetted by the Chief United States Magistrate Judge Robert E. Larsen at the detention hearing. Defendant Ceruti presents no new evidence or change in circumstance from that hearing.

Wherefore, based on the foregoing, the Government requests the Court to deny the motion to revoke and request for bond and to adopt the Order of Detention of Chief United States Magistrate Judge Robert E. Larsen.

WHEREFORE, for the foregoing reasons and authorities, the government respectfully requests Defendant Ceruti's Motion to Revoke Detention Order and Set Bond be denied.

Respectfully submitted,

Beth Phillips
United States Attorney

By */s/ Bruce Rhoades*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on February 11, 2011, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record:

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/s/ Bruce Rhoades

Bruce Rhoades
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