

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

UNITED STATES OF AMERICA,
Plaintiff,

v

Case No. 09-00121

NATHAN MCKEE,
Defendant.

MOTION TO SURRENDER BOND AND SUGGESTIONS IN SUPPORT

The defendant Nathan McKee, by and through his attorney Melanie S. Morgan moves this Court for an Order surrendering the bond and other conditions of release in this case. In support thereof, the following suggestions are offered:

1. On or about April 9, 2009 Mr. McKee was indicted in a multi-count, multi-defendant Indictment alleging various violations of the Controlled Substances Act. Mr. McKee was in state custody at that time and on or about April 29, 2009 appeared by writ. Accordingly, it was determined he was not eligible for bond at that time.
2. In late September 2009, probation and defense counsel determined that Mr. McKee was eligible for parole in the state of Missouri based on representations received from the parole board. According to correspondence received by the United States Probation Department, the state of Missouri required Mr. McKee to be physically present in the state of Missouri in order to be released on parole.
3. On or about October 6, 2009, Mr. McKee appeared and the Court entered conditions of release including a bond. After that hearing date, Mr. McKee was returned to state custody for processing in front of the parole board.

4. Probation has learned that the parole board has decided not to release Mr. McKee and that his state sentence will expire on or about September 28, 2010. Accordingly, counsel is requesting that the conditions of release that were previously set in this case including a bond, be surrendered in order that Mr. McKee can be returned to federal custody.
5. It is anticipated that the government will file the appropriate writ in order to transport him back to federal custody.

WHEREFORE the reasons set forth herein, the defense requests that Mr. McKee's bond be surrendered.

Respectfully Submitted,

/s/ Melanie S. Morgan
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CERTIFICATE OF SERVICE

I, Melanie S. Morgan, do hereby certify that a true and accurate copy of the foregoing was served on opposing counsel and counsel of record by the ECF system on November 25, 2009.

/s/ Melanie S. Morgan