

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

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

Case No. 09-00121-12-CR-W-DGK

NATHAN MCKEE,  
Defendant.

**MOTION FOR REINSTATEMENT OF BOND AND CONDITIONS  
OF RELEASE AND SUGGESTIONS IN SUPPORT**

The defendant Nathan McKee, by and through his attorney Melanie S. Morgan, moves this Court for an Order establishing conditions of release for Mr. McKee in the above captioned matter. The following suggestions in support of this request 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.
2. On or about April 29 Mr. McKee appeared on a writ from the State of Missouri and accordingly, was determined not eligible for bond at that time.
3. On October 2, 2009, this Court entered an order setting conditions of release for Mr. McKee based on representations from probation and defense counsel that Mr. McKee's custodial sentence in the State of Missouri expired on or about September 28, 2009 as Mr. McKee was eligible for parole in the State of Missouri. According to correspondence received by the U.S. Probation Department at that time, the State of Missouri required Mr. McKee to be physically present in the State of Missouri in order to be released on parole. The State of Missouri represented to probation that it was the intent of the State of Missouri to place Mr. McKee on parole as soon as he was returned to State of Missouri

custody. The government did not object to this request. Accordingly, this Court set a \$20,000 unsecured appearance bond for Mr. McKee to be co-signed by Mr. McKee's mother. Mr. McKee was then transferred to state custody.

4. Notwithstanding the representations made to the U.S. Probation department, once Mr. McKee was returned to state custody, the parole board declined to place him on parole and continued him in custody until the actual expiration of his sentence on September 28, 2010. As a result, at defense counsel's request, this Court revoked Mr. McKee's bond in order that he could be writted back to federal custody. (Doc. 111)
5. A year later, Mr. McKee is scheduled to be released from Missouri custody on September 28, 2010. Counsel requests that Mr. McKee's bond and conditions of release, as described in this Court's Order dated November 5, 2009 (doc. 100), be reinstated.
6. The government opposes this request.

Based on the reasons set forth herein, counsel requests that Mr. McKee's bond and conditions of release be reinstated.

Respectfully Submitted,

/s/ Melanie S. Morgan  
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**CERTIFICATE OF SERVICE**

I, Melanie S. Morgan, do certify that a true and accurate copy of the foregoing motion was served electronically pursuant to the ECF system on all counsel of record on this 24<sup>th</sup> day of September, 2010.

/s/ Melanie S. Morgan