

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

UNITED STATES OF AMERICA

v.

Case No. 10-00162-04-CR-W-FJG

BRICE C. HALE

AUSA: Brent Venneman
Defense Atty.: Nick Zotos

JUDGE	Robert E. Larsen United States Magistrate Judge	DATE AND TIME	June 14, 2010 9:30/11:30 a.m.
DEPUTY CLERK	Sue Anderson-Porter	TAPE/REPORTER	FTR/Melanie Beard
INTERPRETER	None	PRETRIAL/PROB:	Nick Zych

CLERK'S MINUTES

INITIAL APPEARANCE INDICTMENT

Custody Assumed

Voluntarily surrendered

Defendant advised:

- 1. Of the charge;**
- 2. That he is not required to make any statement & that any statement made by him may be used against him in Court.**
- 3. Of his right to retain counsel & request assignment of counsel if he is unable to obtain counsel; and**
- 4. Of his right to bail or, if no bail is set, to a detention hearing to determine if he is a flight risk or a danger to persons or the community.**

DETENTION/ARRAIGNMENT

DETENTION HEARING: Parties appear in person and with counsel ready to proceed on government's motion for pretrial detention.

- Parties stipulate to factual contents of Pretrial Services Report as being the direct testimony of Pretrial Services Officer Penney Hodges.
- With exception(s) _____

- _____
- _____
- _____.
- Government presents evidence and calls witness(es) _____
- _____.
- Defendant presents evidence and calls witness(es) _____
- _____.
- Neither party presents evidence.
- Arguments presented.
- Defendant makes a proffer.
- Court takes judicial notice of the statutory presumption against release.
- Other: _____
- _____.
- The Government orally moves to withdraw detention motion - GRANTED by the Court.

Based upon the information presented, the Court grants government's motion to detain and finds the following:

- The Court found reason to believe that no condition or combination of conditions of release would reasonably assure:
- The appearance of the defendant
 - The safety of any other person or persons and the community.
Defendant ordered DETAINED without bail.
 - Written Detention Order entered.
 - Defendant remanded to the custody of the U.S. Marshal.
- The Court made a finding that the defendant should be released from detention.
Government's motion for pretrial detention is denied.
- Defendant released on a personal recognizance bond.
 - Defendant released on a \$_____ unsecured surety bond.
 - Defendant released on a \$_____ cash or security bond.
 - Defendant remanded to the custody of the U.S. Marshal until conditions are met
 - Defendant appears on a writ and is not eligible for bond at this time.

ARRAIGNMENT

- Defendant charged in Count 1 of a 17-count indictment.
- Defendant waived reading of the indictment.
- The count(s) of the indictment applicable to the defendant was read to the defendant.
- Defendant was informed of the maximum punishment for each applicable count of the indictment.
- Defendant entered a plea of not guilty to each count of the indictment applicable to him.

ORDERS

- Defendant ordered committed back to custody of U.S. Marshal
- Defendant ordered released on a continuing bail bond.
- Case ordered set for trial on the joint criminal jury trial docket which commences August 16, 2010.

- Scheduling Conference set for .

- Discovery Order handed to all counsel.

- Defense shall file any pretrial motions within ten days from this date; government responses due seven days after motion filed. In lieu of a scheduling conference, counsel are to meet within two weeks and submit Proposed Stipulations and Orders to chambers for filing. If parties will not be ready for trial by the scheduled docket, a motion for continuance for a date certain should be filed as soon as possible.

- All stipulations, motions, responses, Reports and Recommendations and orders apply to the superseding indictment.

- The Government is reminded that ECF calculates deadlines under civil rules and those deadlines do not apply to this case. Failure to file a response within 7 days of the filing of the motion, regardless of when ECF says a response is due, may result in the motion being granted as unopposed.