

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**

UNITED STATES OF AMERICA,

vs.

Case No.

WAIVER OF DETENTION HEARING
AND ORDER OF DETENTION

I have appeared before a United States Magistrate Judge in the District of Idaho, who has advised me of the provisions of Title 18, United States Code, Section 3142(f) and of my right to have a detention hearing pursuant to the Bail Reform Act of 1984.

I have been advised that, at the detention hearing, I would have the right to be represented by counsel, and, if financially unable to obtain adequate representation, to have counsel appointed for me.

I have been advised that, at the detention hearing, I would be afforded an opportunity to testify, to present witnesses on my own behalf, to cross examine witnesses who appear at the hearing and to present information by proffer or otherwise.

I knowingly and voluntarily waive my right to a detention hearing and further understand and agree that the Court will enter an order of detention based on (i) the charging document and (ii) on the information contained in the pretrial services report(s).

This waiver does not prevent me from filing a motion to reopen the detention hearing at any time before trial, pursuant to Section 3142(f), based on information not known at this time

and that has a material bearing on the issue of whether there are conditions of release that will reasonably assure my appearance and the safety of any other person and the community.

DATED this ____ day of _____, ____.

Signature of Defendant

Signature of Counsel for Defendant

ORDER OF DETENTION

Based upon the foregoing Waiver:

The Court finds that, pursuant to Section 3142(e), no condition or combination of conditions will reasonably assure the appearance of the Defendant as required, and the safety of any other person and the community. Pursuant to Section 3142(i)(1), the facts and reasons supporting this finding are contained in the charging document, the pretrial services report(s), and as stated on the record.

IT IS HEREBY ORDERED that the Defendant be detained pending trial unless otherwise ordered by the Court;

IT IS FURTHER ORDERED that the Defendant be committed to the custody of the United States Marshal for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

IT IS FURTHER ORDERED that the Defendant be afforded reasonable opportunity for private consultation with his/her counsel; and

IT IS FURTHER ORDERED that the director of the correctional facility in which the Defendant is confined shall make the Defendant available to the United States Marshal for the purpose of appearance in connection with a Court proceeding.

Any detention hearing currently set in this matter is hereby VACATED.

DATED this _____ day of _____, _____

United States Magistrate Judge