

United States District Court
District of New Mexico

UNITED STATES OF AMERICA

V.

**ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT**

RICHARD HERMANN

Defendant

Case Number: 08-MJ-58

Upon motion of the UNITED STATES OF AMERICA, it is ORDERED that a
detention hearing is set for **Friday, January 11, 2008** * at **9:30 am**

before **Honorable Lorenzo F. Garcia** ^{Date} Time

Name of Judicial Officer
Pecos Courtroom, 3rd Floor, Albuquerque, New Mexico

Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States marshal) (_____) and produced for the hearing.

Other Custodial Official

Date: **January 9, 2008**



Judicial Officer
LORENZO F. GARCIA
Chief U.S. Magistrate Judge

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.