

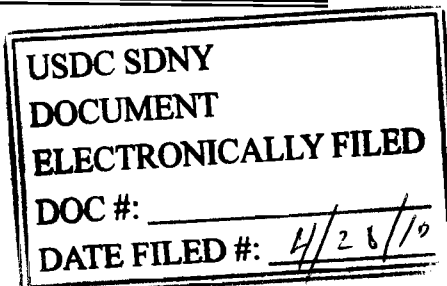
UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)
v.)
DANIEL TZVETKOFF)
Defendant)

Case No. 10 Crim. 0336 (LAK)



DETENTION ORDER PENDING TRIAL

After conducting a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), I conclude that these facts require that the defendant be detained pending trial.

Part I—Findings of Fact

- (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has previously been convicted of...
(2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state release or local offense.
(3) A period of less than five years has elapsed since the...
(4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition will reasonably assure the safety of another person or the community.

Alternative Findings (A)

- (1) There is probable cause to believe that the defendant has committed an offense for which a maximum prison term of ten years or more is prescribed in...
under 18 U.S.C. § 924(c).

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

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- (2) The defendant has not rebutted the presumption established by finding 1 that no condition will reasonably assure the defendant's appearance and the safety of the community.

Alternative Findings (B)

- (1) There is a serious risk that the defendant will not appear.
(2) There is a serious risk that the defendant will endanger the safety of another person or the community.

See also findings made on the record in open court April 28, 2010

Part II— Statement of the Reasons for Detention

I find that the testimony and information submitted at the detention hearing establishes by clear and convincing evidence a preponderance of the evidence that

no condition or combination of conditions will reasonably assure the presence of the defendant as required for reasons more fully stated on the record in open court this day, provided, however, that this order is without prejudice to a renewed application for release upon further evidence as indicated in open court.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: 04/28/2010

[Handwritten Signature]

Judge's Signature

Lewis A. Kaplan, United States District Judge

Name and Title

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).