

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
BEFORE THE HONORABLE KAREN B. MOLZEN

CRIMINAL CLERK'S MINUTES at Las Cruces

CASE NUMBER: **06-3655M**

DATE: **2/28/06**

TAPE #: **FTR LCS**

CLERK: **V. DELGADO**

TYPE OF HEARING: **PRELIM/DETENTION**

DEFENDANT(S):

ATTORNEY(S):

DANUEL D. QUAINANCE

MARC ROBERT

() Appt'd. () Ret'd.

() Appt'd. () Ret'd.

() Appt'd. () Ret'd.

() Appt'd. () Ret'd.

USA by: **LUIS MARTINEZ**, Asst. U. S. Attorney

Interpreter: **NONE**

Pretrial / Probation Officer present: **DAVID BANEGAS**

Defendant(s) in custody

Defendant(s) detained without bond as: Risk of Flight Danger to Community

Conditions of Release set at:

Other: CASE PROCEEDS TO PRELIMINARY HEARING;

11:52AM COURT CALLS CASE
11:52AM GOVT CALLS AGENT IVAN ZARATE, DIRECT EXAM;
12:01AM CROSS EXAM OF AGENT BY DEFENSE;
12:11AM AGENT STEPS DOWN, DEFENSE PROFERS, COURT FINDS PROBABLE CAUSE AS TO DEFT; DEFENDANT'S PENDING MOTION WILL BE BEFORE DISTRICT JUDGE AFTER GOVT HAS RESPONDED. COURT ADDRESSES DETENTION;
12:14AM DEFENSE PROFERS AS TO DETENTION; GOVT RESPONDS, COURT WILL NEED MORE INFORMATION, GOVT REQUESTS MORE TIME TO REVIEW CASE & CASE LAW;
12:27AM DEFENSE PROFERS FOR RELEASE; DEFENDANT WILL AGREE TO NOT CONSUME OR HAVE ANYTHING TO DO WITH MARIJUANA; REQUEST RELEASE; DEFENSE MAY HAVE POTENTIAL THIRD PARTY CUSTODIAN, COURT IS WILLING TO CONSIDER RELEASE AFTER PSA HAS REVIEWED THIRD PARTY CUSTODIAN; **DEFT DETAINED AS FLIGHT/DANGER, COURT WILLING TO RECONSIDER AT LATER DATE;**
12:36AM COURT IN RECESS;