

Magistrate Judge Mary Alice Theiler

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff

NO. MJ15-542

MOTION FOR DETENTION

v.

SCHUYLER PYATTE BARBEAU,  
Defendant.

The United States moves for pretrial detention of the Defendant, pursuant to 18 U.S.C. 3142(e) and (f)

1. **Eligibility of Case.** This case is eligible for a detention order because this case involves (check all that apply):

- Crime of violence (18 U.S.C. 3156).
- Crime of Terrorism (18 U.S.C. 2332b (g)(5)(B)) with a maximum sentence of ten years or more.
- Crime with a maximum sentence of life imprisonment or death.
- Drug offense with a maximum sentence of ten years or more.

1            Felony offense and defendant has two prior convictions in the four  
2 categories above, or two State convictions that would otherwise fall within these four  
3 categories if federal jurisdiction had existed.

4            Felony offense involving a minor victim other than a crime of violence.

5            Felony offense, other than a crime of violence, involving possession or use  
6 of a firearm, destructive device (as those terms are defined in 18 U.S.C. 921), or any  
7 other dangerous weapon.

8            Felony offense other than a crime of violence that involves a failure to  
9 register as a Sex Offender (18 U.S.C. 2250).

10            Serious risk the defendant will flee.

11            Serious risk of obstruction of justice, including intimidation of a  
12 prospective witness or juror.

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14           2.       **Reason for Detention.** The Court should detain defendant because there  
15 are no conditions of release which will reasonably assure (check one or both):

16            Defendant's appearance as required.

17            Safety of any other person and the community.

18           3.       **Rebuttable Presumption.** The United States will invoke the rebuttable  
19 presumption against defendant under 3142(e). The presumption applies because:

20            Probable cause to believe defendant committed offense within five years of  
21 release following conviction for a qualifying offense committed while on pretrial release.

22            Probable cause to believe defendant committed drug offense with a  
23 maximum sentence of ten years or more.

24            Probable cause to believe defendant committed a violation of one of the  
25 following offenses: 18 U.S.C. 924(c), 956 (conspiracy to murder or kidnap), 2332b (act  
26 of terrorism), 2332b(g)(5)(B) (crime of terrorism).



**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorney of record for the defendant.

*/s/ Salee Porter*  
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