

Magistrate Judge Brian A. Tsuchida

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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff

v.

SCHUYLER PYATTE BARBEAU,

Defendant.

NO. MJ15-542

AMENDED MOTION FOR DETENTION

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.

13  
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).  
27  
28

1         Probable cause to believe defendant committed an offense involving a  
2 victim under the age of 18 under 18 U.S.C. 1591, 2241, 2242, 2244(a)(1), 2245, 2251,  
3 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421,  
4 2422, 2423 or 2425.

5        4.        **Time for Detention Hearing.** The United States requests the Court  
6 conduct the detention hearing:

- 7              At the initial appearance  
8              After a continuance of \_\_\_ day (not more than 3)  
9

10             DATED this 14<sup>th</sup> day of December, 2015.

11  
12                                         Respectfully submitted,

13                                         ANNETTE L. HAYES  
14                                         United States Attorney

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16                                         

17                                         \_\_\_\_\_  
18                                         THOMAS M. WOODS  
19                                         Assistant United States Attorney