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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

9 UNITED STATES OF AMERICA,

11 vs.

12 ARMAN HAYRAPETYAN,
13 DEFENDANT.

CASE NO.: CR 20-579(A)-SVW-6

**NOTICE OF MOTION AND
MOTION FOR THIRD
REVIEW/RECONSIDERATION OF
ORDER SETTING CONDITIONS OF
RELEASE/DETENTION**

**DATE: JUNE 4TH, 2021
TIME: 11:30 AM**

18 PLEASE TAKE NOTICE that on June 4th, 2021, at 11:30 AM, Defendant, Arman
19 Hayrapetyan, by and through the undersigned Counsel of record, hereby submits the following
20 memorandum in support of reconsideration of detention.
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INTRODUCTION

On March 9th, 2021 the Government filed their first superseding indictment adding Arman Hayrapetyan as a defendant to the underlying criminal conspiracy. [CR 154]. Soon after learning of his inclusion in this indictment—and seeking my professional assistance in understanding its scope and significance—Arman Hayrapetyan willingly self-surrendered and appeared before the Court on March 25th, 2021. [CR 251] On that date Magistrate Judge Maria A. Audero ordered that the Defendant be placed in detention. [CR 257] On April 7th, 2021 Defendant filed his first application for reconsideration, presenting a third-party surety without justification to sign on his behalf. [CR 263] The Government filed an opposition and a hearing was held on April 12th, 2021 before the Honorable Judge Wilson. [CR 265, 276] Judge Wilson found that the Defendant posed a flight risk and ordered that he remain in custody. [CR 282]. On May 20th, 2021 Defendant filed a second application for reconsideration, presenting a second surety with justification. [CR 355] The Government filed a second opposition. [CR 359]. On May 26th, 2021 the Court denied the Defendant's second application for review without a hearing. [CR 366].

Defendant Arman Hayrapetyan now submits the following Third Application for Review of Order setting release or detention. For the reasons set forth below, all previous applications and exhibits contained therein, defendant's motion should be granted.

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I. DISCUSSION

A. DEFENDANT'S DETENTION IS NOT APPROPRIATE: HE IS NEITHER A FLIGHT RISK NOR A DANGER TO THE COMMUNITY

a. DEFENDANT IS NOT A DANGER TO THE COMMUNITY

Though it appears that concerns regarding Defendant's potential danger to the community are not the root cause of his detainment, it is still worth noting that Mr. Hayrapetyan has neither a criminal record nor a problem with substance abuse. The Pre-Trial report prepared by Probation Officer Dalayna Ecklund, reiterates that "although the instant allegations are concerning, as they involve a large loss amount and an economic danger to the community, the defendant has no criminal history. Furthermore, the defendant does not have any substance abuse issues or mental health history. Therefore, Pretrial Services believes conditions could be imposed to mitigate the risk of danger to the community." (PSR, pg. 5) Mr. Hayrapetyan is entirely willing to abide by any conditions suggested by Pretrial Services to abate any concern about his potential danger to the public.

b. DEFENDANT IS NOT A FLIGHT RISK AS HE HAS SELF SURRENDERED AND PROPOSED NEW SURETIES.

As stated in Defendant's previous two applications, the Defendant is willing to:

1. Sign an unsecured appearance bond for \$75,000
2. Have a third party— Ashot Samsonian—sign an unsecured appearance bond for \$75,000
3. Have said appearance bond replaced by a \$50,000 bond with justification full deeding over a property in the name of Ashot Samsonian's wife.

In order to properly appreciate why Mr. Hayrapetyan does not pose a flight risk, we must stress the circumstances surrounding his self-surrender. The Government filed their first

1 superseding indictment on March 9th, 2021. There, the Government named Arman Hayrapetyan as a
2 co-defendant in this multi-defendant conspiracy for the very first time. While Mr. Hayrapetyan did
3 not immediately receive notice of this filing, upon his actual receipt of the notice of warrant he
4 contacted my office. In doing so he sought to fully understand the scope of this fraud and its
5 associated consequences. After thoroughly and thoughtfully explaining to Mr. Hayrapetyan the
6 magnitude of this crime and the realities he would be facing moving forward, the defendant
7 **willingly chose to turn himself in.** The significance of this act cannot be overstated: Mr.
8 Hayrapetyan—knowing the repercussions that would follow his arrest—chose to turn himself into
9 the authorities. He has now—as he did then—fully accepted responsibility for his actions, and
10 conceded to a factual basis which attests to the same. There is nothing in the record that would
11 suggest that Mr. Hayrapetyan would flee the jurisdiction of this Court.
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14 Prior to his self-surrender, Mr. Hayrapetyan was gainfully employed and is able to work
15 while awaiting his sentencing so that he may provide for his family in Armenia. He is eager to
16 comply with any set of conditions that Court may impose for his temporary release, including
17 electronic monitoring.

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CONCLUSION

For the foregoing reasons, Arman Hayrapetyan, respectfully requests that this Honorable Court grant the proposed bond package. The defense also respectfully ask that the Court grant oral briefing/arguments for the reconsideration of the bond on the same date the Defendant enters his plea.

Dated: June 2nd, 2021

Respectfully Submitted,

BY: _____

JILBERT TAHMAZIAN,
Attorney for Defendant