

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

Criminal Action No.

1:20-CR-228-MHC-JKL

Daniel Eric Jay

Government's Brief in Support of Petition to Revoke Conditional Release

The United States of America, by counsel, Ryan K. Buchanan, United States Attorney, and Alana R. Black, Assistant United States Attorney for the Northern District of Georgia, files this brief in support of the United States Probation Office's Petition to Revoke Conditional Release.

Defendant's conditional release should be revoked and Defendant should be detained pending further proceedings pursuant to 18 U.S.C. § 3148(b), because there is: 1) probable cause to believe that the Defendant has committed a Federal, State or local crime while on release, or clear and convincing evidence that the Defendant has violated any other condition of release; and 2) based on the factors set forth in 18 U.S.C. § 3142(g), there is no condition or combination of conditions of release that will assure that the Defendant will not flee or pose a danger to the safety of any other person or the community, or the Defendant is unlikely to abide by any condition or combination of conditions of release. *See* 18 U.S.C. § 3148(b).

Rebuttable Presumptions and Defendant Burdens (*check all that apply*)

- ☒ The United States hereby invokes the rebuttable presumption under 18 U.S.C. § 3148(b) that no condition of release or combination of conditions will assure that the Defendant will not pose a danger to the safety of any other person or the community, because there is probable cause to believe that, while on release, the Defendant committed a Federal, State, or local felony.
- ☐ The Defendant bears the burden of proving by clear and convincing evidence that he or she is not likely to flee or pose a danger to the safety of any other person or the community if released, because the Defendant has already been found guilty and is awaiting sentencing or execution of a sentence. *See* 18 U.S.C. § 3143(a)(1).

Additional Information

Defendant absconded from bond
and was a no-show at his own felony
trial.

Dated: 2/13, 2022

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Respectfully submitted,

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Certificate of Service

The undersigned served this document today by handing a copy to defense counsel:

2/13, 2022 Melissa McGrane
/s/ ALANA R. BLACK