UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 20-3810-O'SULLIVAN

UNITED STATES OF AMERICA,

Plaintiff,

v.

AYINDE Z. JOHNSON,

Defendant.
_____/

DETENTION ORDER

Pursuant to 18 U.S.C. § 3142(f), on October 14, 2020, a hearing was held to determine whether **AYINDE Z. JOHNSON** should be detained prior to trial. Having considered the factors enumerated in 18 U.S.C. § 3142(g), the undersigned finds that no condition or combination of conditions will reasonably assure the appearance of this defendant as required. Therefore, it is hereby ordered that the defendant **AYINDE Z. JOHNSON** be detained prior to trial and until the conclusion thereof.

In accordance with the provisions of 18 U.S.C. § 3142(i), the undersigned hereby makes the following findings of fact and statement of reasons for the detention:

1. The defendant is charged by indictment in the Southern District of Illinois with three counts of distribution of heroin, three counts of distribution of methamphetamine and one count of possession with intent to distribute methamphetamine all in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C). Therefore, the defendant is

charged with a narcotics offense for which a maximum sentence of more than ten (10) years is prescribed, resulting in a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant at all future court proceedings. Title 18, United States Code, Section 3142(e) and (f).

2. The weight of the evidence against the defendant is substantial. The government proffered that the defendant participated in three controlled buys of heroin and two controlled buys of methamphetamine in the Southern District of Illinois. These controlled buys were audio and video recorded. Law enforcement officers executed a search warrant at the defendant's residence on July 9, 2020. The defendant admitted to having drugs in the residence and showed law enforcement officers the drugs and a loaded firearm. The defendant stated that the firearm belonged to his girlfriend. Law enforcement officers seized approximately 436 grams of methamphetamine and the loaded firearm from the defendant's residence.

The defendant was arrested approximately three months later in Miami, Florida. The defendant admitted to fleeing to Miami because he knew he would be facing charges related to the instant offense and referenced spending time with his children.

3. The pertinent history and characteristics of the defendant support pretrial detention. The defendant was born on September 29, 1985, in Carbondale, Illinois. The defendant has family ties to South Florida. Title 18, United States Code, Section 3142(g)(3)(A).

4. Based on the defendant's statements that he fled to Miami because he wanted

to spend time with his children and the seriousness of this offense for which the defendant is facing a minimum mandatory sentence of ten years' imprisonment, the undersigned believes that the defendant would not appear if released on bond.

5. The Court specifically finds, that there are no conditions or combination of conditions which reasonably will assure the defendant's appearance as required. Based upon the above findings of fact, which were supported by a preponderance of the evidence, the undersigned concludes that this defendant presents a risk of flight.

The Court hereby directs:

(a) That the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;

(b) That the defendant be afforded reasonable opportunity for private consultation with counsel; and

(c) That, on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED at Miami, Florida, this **14th** day of October, 2020.

JOHN J. O'SULLIVAN
CHIEF UNITED STATES MAGISTRATE JUDGE