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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 24-cr-00277-MMC
Plaintiff,	)	
v.	)	GOVERNMENT’S OPPOSITION TO
	)	DEFENDANT’S MOTION TO MODIFY HIS
	)	RELEASE CONDITIONS
LUKE BRUGNARA,	)	
Defendant.	)	

The United States understands that the Court has elected to revoke the magistrate’s recent order of detention. It is not contesting that decision. But it requests that the Court keep in place the defendant’s stringent release conditions. The conditions that the Court put in place are designed to ensure he does not flee, even though history strongly suggests he ultimately will. And if Luke Brugnara cannot even follow “minor” conditions – like only leaving his apartment to see his lawyer and get his blood pressure checked – there is no reason to think he will follow “major” conditions. Like not absconding from supervision altogether.

The defendant contends that his attendance at three court hearings shows he should not be confined to his home. But he similarly appeared in front of Judge Alsup during his Form 12 proceedings before ultimately fleeing prior to sentencing. Luke Brugnara’s three appearances in this

1 case do not guarantee his future appearance. Indeed, “[i]f past is prologue, then promises to hew the
2 straight and narrow will mean next to nothing to this defendant.” *United States v. Tortora*, 922 F.2d
3 880, 887 (1st Cir. 1990) (concluding the district court erred in ordering a defendant’s pretrial release). If
4 past is prologue in this case, the defendant will flee at some point: it is not a matter of if, but when. This
5 is why the United States sought the defendant’s detention in the first place.

6 Again, the United States accepts that the Court has ordered the defendant released. But keeping
7 these stringent release conditions in place informs the Court about the defendant’s ultimate designs. If
8 he keeps violating his release conditions – and he will, of that the United States is sure – it tells this
9 Court what the defendant will ultimately do as the parties approach trial.

10 When someone violates rules, the solution is not to make those rules disappear. The solution is
11 to enforce those rules. The United States requests that the Court maintain the defendant’s stringent
12 conditions of release.

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Respectfully submitted,

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16 United States Attorney

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18 /S/
19 RYAN ARASH REZAEI
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