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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. KEITH LAWRENCE MIDDLEBROOK, Defendant.	No. 20-mj-1341 STIPULATION RE: REVIEW/RECONSIDERATION OF ORDER SETTING CONDITIONS OF RELEASE; [PROPOSED] ORDER

The United States of America, by and through its counsel of record, Assistant United States Attorneys Valerie L. Makarewicz and James C. Hughes, and defendant Keith Lawrence Middlebrook, through his attorney, Deputy Federal Public Defender Ijeoma Eke, stipulate as follows:

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1. On March 25, 2020, the United States filed a complaint against defendant, charging him with a violation of 18 U.S.C. § 1349, attempted wire fraud. CR 1.
2. Defendant was arrested on March 25, 2020 and made his initial appearance before the Court on March 26, 2020. CR 4.
3. On March 27, 2020, the Court granted defendant pretrial release upon the posting of a $150,000 bond secured by an affidavit of surety signed by defendant's mother, with $50,000 of that amount to be secured by real property held by defendant's mother. CR 10.

    a. The Court ordered that defendant participate in a location monitoring program, called the Voice Verification System (Voice ID). Voice ID will monitor the defendant's location by phone using a biometric voiceprint that is verified during each check-in call. Notification calls from the system to the defendant established by the pretrial officer on both random or fixed schedules. Once defendant receives the notification call, he must call the Voice ID system from the authorized phone number.

    b. The Court ordered other conditions which are delineated in the Court's Release Order and Bond Form.

    c. The Court set a deadline of May 27, 2020 for all conditions of the bond to be met and posted.
4. As of the filing of this Motion, defendant has not posted the entirety of the bond with respect to amount secured by defendant's mother's property, and remains in custody. On April 30, 2020, defendant filed an Affidavit of Sureties by surety Martha Middlebrook in the amount of $100,000. CR 25.

5. On April 28, 2020, defendant filed an application for review/reconsideration of the above-mentioned bond order and requested to be released forthwith, pending the execution of the property bond. CR 23. Defendant requested the Court order a status conference in sixty days for the Court to receive an update on the status of the property bond, if it has not been completed and filed by that time. CR 23.

6. The parties' hereby stipulate and request, as follows:

a. With the Court's permission, defendant may be released before the filing of the Affidavit of Surety with Justification by Martha Middlebrook of the $50,000 bond secured by her real property. The parties agree that defendant can be released while Mrs. Middlebrook continues in her efforts to post this portion of defendant's bond.

b. That the Court amend its release order and bond form so that defendant is released to the Pretrial Services Agency, under their supervision as directed by the Pretrial Services Agency, as enumerated in the release order and bond form, CR 10.

c. That the Court order a status conference in 60 days – no later than July 3, 2020, for an update on defendant and his mother's attempts to post the secured portion of the bond in the amount of $50,000 by the deeding of Mrs. Middlebrook's property. If the bond has been posted by the date of the status conference set by the Court, no status conference is needed.

d. All other conditions of defendant's bond, as enumerated in CR 10, remain in effect.

7. On May 4, 2020, counsel for defendant spoke with defendant, and discussed the terms of this stipulation. Counsel for defendant represents that defendant agrees to the terms described in this stipulation, including the above-mentioned modification to his bond.

IT IS SO STIPULATED.

Dated: May 4, 2020

Respectfully submitted,

NICOLA T. HANNA
United States Attorney

BRANDON D. FOX
Assistant United States Attorney
Chief, Criminal Division

VALERIE L. MAKAREWICZ
Assistant United States Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

Dated: May 4, 2020

IJEOMA EKE
Deputy Federal Public Defender

Attorney for Defendant
KEITH LAWRENCE MIDDLEBROOK