

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Mag. No. 17-3095
v. :
EYUP YILDIRIM : ORDER OF DETENTION
: PENDING TRANSFER TO THE
: DISTRICT OF COLUMBIA

This matter having come before the court for an initial appearance under Federal Rule of Criminal Procedure 5(c)(2) and the United States, by William E. Fitzpatrick, Acting United States Attorney for the District of New Jersey (Ari B. Fontecchio, Assistant United States Attorney, appearing), in the presence of David Holman, Esq., attorney for defendant Eyup Yildirim (“Defendant”), having moved for detention pending transfer to the District of Columbia for a preliminary hearing on a Complaint from the Superior Court of the District of Columbia Criminal Division; the Court having considered the factors set forth in Title 18, United States Code, Section 3142(g); and the Court having considered the statements made by counsel on the record on June 14, 2017, the Court finds as follows:

The Complaint charges Defendant with assault with significant bodily injury in violation of 22 D.C. Code § 404(a)(2), aggravated assault in violation of 22 D.C. Code § 404.01, and misdemeanor assault in violation of 22 D.C. Code § 404;

The crimes, as charged, involve Defendant kicking another person in the head and face;

The crimes, as charged, were motivated by ethnic bias as described in 22 D.C. Code §§ 3701 & 3703;

A rebuttable presumption for detention exists under 23 D.C. Code § 1322(c)(1);

No condition or combination of conditions will reasonably assure the appearance of Defendant as required and the safety of any other person and the community;

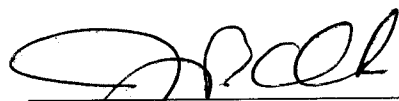
IT IS, therefore, on this 15th day of June, 2017,

ORDERED that Defendant be committed to the custody of the Attorney General or his authorized representative; and it is further

ORDERED that Defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, Defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings; and it is further

ORDERED that the motion of the United States for an order detaining Defendant pending appearance in the District of Columbia without bail is hereby granted, and Defendant is hereby ordered detained in the above-entitled matter.

A handwritten signature in black ink, appearing to read 'J. Clark', written over a horizontal line.

HONORABLE JAMES B. CLARK
United States Magistrate Judge