UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
v.	)	Crim. Action No. 20-0054-1 (ABJ)
ANTONIO LOVELACE,	)	
Defendant.	)	

ORDER

Defendant Antonio Lovelace has been indicted on one count of Unlawful Possession of a Firearm in violation of 18 U.S.C. § 922(g)(1), one count of Unlawful Possession with Intent to Distribute Twenty-Eight Grams or More of Cocaine Base in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii), one count of Unlawful Possession with Intent to Distribute Cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), one count of Unlawful Possession with Intent to Distribute a Mixture and Substance Containing a Detectable Amount of Phencyclidine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C), one count of Unlawful Possession with Intent to Distribute a Mixture and Substance Containing a Detectable Amount of Marijuana in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(D), and one count of Possession of a Firearm during a Drug Trafficking Offence in violation of 18 U.S.C. § 925(c).

Since March 10, 2020, defendant has been detained without bond pursuant to an order entered by the Magistrate Judge. [Dkt. # 15] ("Detention Order"). Pending before the Court is his Application for Review and Modification of Pretrial Detention [Dkt. # 25] ("Def.'s App."). In light of statutory factors and the Covid-19 pandemic, he asks the Court to modify the order to permit him to reside with his family while abiding by the conditions of the High Intensity Supervision Program ("HISP"). The Government opposes his request. Government's Opposition to Defendant's Request for Review of Order of Detention [Dkt. # 34] ("Govt's Opp.").[1] For the following reasons, the Court will order defendant's release into the HISP program.

1 On March 20, 2020, the Government filed a Supplement to its Opposition [Dkt. # 36] ("Govt's Supp.").

BACKGROUND

On February 13, 2020, a search warrant was executed at Apartment 1 of 3137 Buena Vista Terrace, S.E., in Washington, D.C. Ex. B to Def.'s App., Transcript of February 17, 2020 Preliminary Hearing, [Dkt. # 25-2] ("PH Tr.") at 5:1–15. A cache of drugs and guns were seized at that location, and the individuals who were apprehended were originally charged in the Superior Court of the District of Columbia. Defendant Lovelace was arrested inside the apartment and charged by complaint with one count of Unlawful Possession of a Firearm in violation of 22 D.C. Code § 4503(a)(1)(2000 ed.). Govt's Opp. at 1; Def.'s App. ¶ 7.

During the search, Lovelace was "stopped around the entrance to the kitchen." PH Tr. at Tr. 7:3–4. His three co-defendants – Gregory Williams, Roland Howard, and Jermaine Campbell – were also located inside the apartment. *Id*. at Tr. 5:22–6:2.

According to the government, the apartment "appeared to have been previously used as a daycare center," PH Tr. at Tr. 7:11–12, and it "did not appear that anyone was actually living there at the time the warrant was executed." Govt's Opp. at 6. It has submitted proof that the "officers recovered large amounts of United States Currency and narcotics as well as paraphernalia throughout the apartment, almost all of which was in plain view." Govt's Opp. at 6; *see also* PH Tr. at Tr. 9:7-11 ("[I]n plain view, there was – we observed numerous narcotics in the kitchen area. . . . There were other bags containing a white powdery substance and there was money all over the place and there was money inside of like bags of marijuana and it was drugs and stuff everywhere."). The items recovered from the apartment included:

From the Kitchen:

- Smith & Wesson .9mm firearm with 8 rounds in the magazine (inside backpack)
- FNH-FNP .45 caliber firearm with 13 rounds in the magazine (inside backpack)
- Glock 27 .40 caliber firearm with 9 rounds in the magazine and an obliterated serial number (inside backpack)
- 45 grams of crack cocaine – FTP – inside backpack
- 300 grams of cocaine – FTP – inside backpack
- 3 grams of heroin (suspected) - inside backpack
- 170 grams of crack cocaine – in kitchen sink
- 4 digital scales
- Cell phones
- 95 grams marijuana – field tested positive
- Card with 31 grams black tar – possibly heroin – in freezer
- 72 grams cocaine

- Pyrex bowl with white powder
- US currency

From the room labelled "Bedroom 1":

- Smith & Wesson .40 caliber firearm with 9 rounds in the magazine – on shelf in closet – obliterated serial number
- US currency
- Empty PCP vials & containers
- 3 kilo presses
- 737 grams of marijuana
- 130 grams of crack cocaine – field tested positive
- Shifter, mask, baggies
- 450 grams possible heroin or fentanyl
- 585 grams marijuana

From the room labelled "Bedroom 2":

- Bag with 8 gun magazines of various sizes, with ammunition
- 8 rounds of ammo (unknown caliber)
- 63 .38 special rounds
- 4 .40 caliber rounds
- 2 .10 caliber rounds
- 87 .45 caliber rounds
- 50 .40 caliber rounds
- 16 .357 magnum rounds
- Gun holster
- Half ounce vial of PCP, ¼ full
- 12 half ounce vials full of PCP – 6 ounces total
- 3 8-ounce bottles of PCP – 24 ounces total
- Arrest paperwork in the name of Gregory Williams
- US currency

Govt's Opp. at 6–7; *see also* Detention Order at 3. The currency seized by the DEA is believed to be over $48,000, and the value of the drugs is estimated to be over $100,000. Govt's Opp. at 7; *see also* Detention Order at 3. Altogether, the police seized: thirty ounces of PCP, 1330 grams of Marijuana, 300 grams of powder Cocaine, 300 grams of Cocaine base (Crack Cocaine), and 400 grams of Heroin / Fentanyl, Govt's Opp. at 7, and "believe[d] the defendants were actually cooking crack, or getting ready to cook the crack, when the search warrant was executed." Govt's Opp. at 7.

Defendant was arrested during the execution of the search warrant, Def.'s App. ¶ 7, and he had $680.00 on his person. Govt's Opp. at 8. He was preventatively detained by a Superior Court

judge on February 14, 2020. Govt's Opp. at 1. On February 15, 2020, the government filed an amended complaint, charging defendant with an additional count of Possession with Intent to Distribute a Controlled Substance in violation of 48 D.C. Code § 904.01(a)(1)(2001 ed.). Ex. A to Def.'s App [Dkt. # 25-1]; Govt's Opp. at 1; Def.'s App. ¶ 9.[2] On the same day, a preliminary hearing was held, and defendant was released into HISP. Govt's Opp. at 1; Def.'s App. ¶ 8.

On February 27, 2020, a federal grand jury returned an eight-count indictment against defendant and the three co-defendants. *See* Indictment [Dkt. # 1]. Defendant was charged with six out of the eight counts, *see id.*, and he was re-arrested on the federal charges on March 6, 2020. *See* Arrest Warrant [Dkt. # 12]. A detention hearing was held before a Magistrate Judge on March 10, 2020, and defendant was held without bond pending trial pursuant to 18 U.S.C. § 3142(g). *See* Order of Detention Pending Trial [Dkt.. # 15] ("Detention Order"). The Magistrate Judge found by clear and convincing evidence "that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community." *See id*. at 2. She pointed to defendant's prior criminal history, the lengthy period of incarceration he faces if convicted, and his prior history of violence or use of weapons as reasons to detain him. *Id*. at 2–3.

STANDARD OF REVIEW

The Bail Reform Act of 1984, 18 U.S.C. § 3142 *et seq.*, provides that if a judicial officer finds by clear and convincing evidence that "no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community, such judicial officer shall order the detention of the person before trial." 18 U.S.C. §§ 3142(e)(1), (f)(2)(g). Even if defendant does not pose a flight risk, danger to the community alone is a sufficient reason to order pretrial detention. *United States v. Salerno*, 481 U.S. 739, 754–55 (1987); *United States v. Simpkins*, 826 F.2d 94, 98 (D.C. Cir. 1987).

Congress also specified in the Bail Reform Act that a judicial finding that there is probable cause to believe that the defendant committed certain offenses – including the offense of using or carrying a firearm during and in relation to a crime of violence, or possessing a firearm in furtherance of a crime of violence, 18 U.S.C. § 924(c)(1)(A) – gives rise to a rebuttable presumption that a defendant is a danger, and that no pretrial condition or combination of conditions will be sufficient to protect the community. 18 U.S.C. § 3142(e)(3)(B).

2 The Court notes that although both parties submit that the amended complaint was filed on February 17, 2020, the date on the amended complaint itself is February 15, 2020.

Once a rebuttable presumption has been triggered, "the presumption operate[s] *at a minimum* to impose a burden of production on the defendant to offer some credible evidence contrary to the statutory presumption." *United States v. Alatishe*, 768 F.2d 364, 371 (D.C. Cir. 1985) (emphasis in original); s*ee also United States v. Portes*, 786 F.2d 758, 764 (7th Cir. 1985) (the presumptions in § 3142(e) "are 'rebutted' when the defendant meets a burden of production by coming forward with some evidence that he will not flee or endanger the community if released"), quoting *United States v. Dominguez*, 783 F.2d 702, 707 (7th Cir. 1986); *United States v. Rodriguez*, 950 F.2d 85, 88 (2d Cir. 1991) ("[A] defendant must introduce some evidence contrary to the presumed fact in order to rebut the presumption."), citing *United States v. Matir*, 782 F.2d 1141, 1144 (2d Cir. 1986). While the burden of production may not be heavy, *see United States v. Stricklin*, 932 F.2d 1353, 1355 (10th Cir. 1991), the applicable cases all speak in terms of a defendant's obligation to introduce "evidence."

And, as the court explained in *United States v. Ali*, even if the defendant offers evidence to counter the presumption, the presumption does not disappear entirely:

> At oral argument, defendant's counsel posited that the rebuttable presumption functions as a "bursting bubble" that ceases to exist once a defendant produces any credible evidence. Although the D.C. Circuit has not expressly ruled on this issue, circuits that have considered the issue require using the presumption as a factor even after the defendant has produced credible evidence as do judges of this Court.

793 F. Supp. 2d 386, 388 n.2 (D.D.C. 2011) (internal citations omitted), citing *United States v. Bess*, 678 F. Supp. 929, 934 (D.D.C. 1988) ("[The presumption] is incorporated into the § 3142(g) factors considered by the court when determining whether conditions of release can be fashioned or whether the defendant must be detained pretrial."); *see also United States v. Stone*, 608 F.3d 939, 945 (6th Cir. 2010) ("Even when a defendant satisfies his burden of production, however, 'the presumption favoring detention does not disappear entirely but remains a factor to be considered among those weighed by the district court.'"), quoting *United States v. Mercedes*, 254 F.3d 433, 436 (2d Cir. 2001); *Portes*, 786 F.2d at 764 ("[U]se of [the word rebutted] in this context is somewhat misleading because the rebutted presumption is not erased. Instead, it remains in the case as an evidentiary finding militating against release, to be weighted along with other evidence relevant to factors listed in § 3142(g)."), quoting *Dominguez*, 783 F.2d at 707.

As the U.S. Court of Appeals for the Sixth Circuit has explained:

> The presumption remains as a factor because it is not simply an evidentiary tool designed for the courts. Instead, the presumption reflects Congress's substantive judgment that particular classes of offenders should ordinarily be detained prior to trial. To rebut the presumption, therefore, a defendant should "present all the special features of his case" that take it outside "the congressional paradigm."

Stone, 608 F.3d at 945–46 (internal citations omitted), quoting *United States v. Jessup*, 757 F.2d 378, 387 (1st Cir. 1985).

But in the end, while the presumption operates to shift the burden of production, it does not alter the government's statutory burden of persuasion, which is consistent with the presumption of innocence. *Portes*, 786 F.2d at 764. "Regardless of whether the presumption applies, the government's ultimate burden is to prove that no conditions of release can assure that the defendant will appear and to assure the safety of the community." *Stone*, 608 F.3d at 946.

To determine whether the government has carried its burden, the Court must consider: (1) "the nature and circumstances of the offense charged, including whether the offense is a crime of violence," (2) "the weight of the evidence against the [defendant]," (3) "the history and characteristics of the [defendant]," and (4) "the nature and seriousness of the danger to any person or the community that would be posed by the person's release." 18 U.S.C. § 3142(g).

Finally, although the D.C. Circuit has not yet addressed the issue, courts in this district and many other circuits agree that the district judge should review *de novo* a detention decision rendered by a Magistrate Judge. *See, e.g.*, *United States v. Hassanshahi*, 989 F. Supp. 3d 110, 113 (D.D.C. 2013); *United States v. Koenig*, 912 F.2d 1190, 1191 (9th Cir. 1990) (collecting cases); *United States v. Stewart*, 19 F. App'x 46, 48 (4th Cir. 2001); *United States v. Gonzales*, 149 F.3d 1192 at *1 (10th Cir. 1998); *United States v. Hazime*, 762 F.2d 34, 36 (6th Cir. 1985); *Portes*, 786 F.2d at 761. The Court will follow that procedure in this case.

ANALYSIS

I. Rebuttable Presumption

The Bail Reform Act creates a rebuttable presumption "that no condition or combination of conditions will reasonably assure the . . . safety of the community if the judicial officer finds that there is probable cause to believe that the [defendant] committed . . . an offense under section 924(c) . . . of this title." 18 U.S.C. § 3142(e)(3)(B). The statute also calls for the application of a similar presumption ". . . if there is probable cause to believe that the person committed an offense

for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act. . ." 18 U.S.C. § 3142(e)(3)(A).

Here defendant Lovelace is charged with the firearms offense and three drug offenses punishable by ten years or more under the Controlled Substances Act: possession with intent to distribute twenty-eight grams or more of cocaine base, possession with intent to distribute cocaine, and possession with intent to distribute PCP. An indictment alone is sufficient to establish probable cause and trigger the presumption. *United States v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir. 1996); *United States v. Williams*, 903 F.2d 844, at *1 (D.C. Cir. 1990) (per curiam) (unpublished) ("To require an independent finding of probable cause apart from those of the grand jury for purposes of section 3142(e) would be a waste of judicial resources."), citing *United States v. Contreras*, 776 F.2d 51, 53–54 (2d Cir. 1985). So the Court finds that the rebuttable presumption applies four times over.

Because the presumption applies, the defendant bears the burden to come forward with credible evidence that he does not pose a danger to the community. *Alatishe*, 768 F.2d at 371. Defendant points to his ties to the community, the fact that he has only one prior criminal conviction and no convictions for Bail Reform Act violations, the fact that he was working full time at the time of his arrest, and his adjustment during the period he was released to HISP by the Superior Court.

Assuming that with this, defendant has come forward with credible evidence to counter the presumption, the Court must then consider all of the factors set forth in section 3142(g), and that analysis presents a close question.

II. The Application of the Factors in Section 3142(g)

A. The Nature and Circumstances of the Offense Charged

In determining whether there are conditions of release that will assure the defendant's appearance and the safety of the community, the Court must first consider "the nature and circumstances of the offense charged." 18 U.S.C. § 3142(g)(1). Section 3142(g)(1) specifically

directs the Court to consider "whether the offense is a crime of violence . . . or involves a . . . firearm" in making that assessment. *Id.*

The indictment does not allege a crime of violence. But the offense does involve a firearm. Four firearms -- all of which were loaded.

The defendant faces a five-year mandatory minimum on the gun charge, *see* 18 U.S.C. § 924(c)(1)(A), as well as on the cocaine-related drug charge, *see* the Controlled Substances Act, 21 U.S.C. § 841(b)(1)(B)(iii).

It is of particular importance here to note that this case does not simply allege the possession of a small supply that might be in the pocket of a low-level salesperson on the street. The execution of the search warrant in this case resulted in the seizure of a variety of dangerous substances with a street value of more than $100,000. The lack of any furniture or any indication that anyone lived in the apartment, the presence throughout the unit of tools and ingredients used for cutting and packaging drugs, and the large amounts of cash that were not concealed in any way, suggest that the search interrupted a distribution operation. The amount of harm that that much crack and cocaine and PCP could wreak on the community, the buyers, and their family members, cannot be overstated.

Weighing all of these considerations the Court finds that the nature and circumstances of the offenses weighs heavily in favor of detention.

B. The Weight of the Evidence of Defendant's Dangerousness

The Court must next consider the weight of the evidence against the defendant. 18 U.S.C. § 3142(g)(2). In this regard, the quantity of drugs and money in plain view and in close proximity to the defendant, who was arrested at the entrance to the kitchen, is significant. *See* PH Tr. at 6, 10, and 13-15. The number of weapons recovered on the premises – three out of four in the kitchen – points to dangerousness as well. But the Court must also consider the fact that in the absence of DNA or fingerprint evidence, or other identifying evidence on the weapons or the backpack in

which some of them were found, there is little at this point to tie the weapons to any one of the defendants in particular.[3]

Courts in other circuits have cautioned that a district court assessing the weight of the evidence must not consider the evidence of defendant's guilt, but rather must consider only the weight of the evidence of defendant's dangerousness. *Stone*, 608 F.3d at 948; *see also United States v. Gebro*, 948 F.2d 1118, 1121 (9th Cir. 1991) (holding that section 3142(g) "neither requires nor permits a pretrial determination of guilt").

To the extent the circumstances surrounding defendant's arrest bear on this factor, though, the weight of the evidence of dangerousness is strong.

C. The History and Characteristics of the Defendant

Third, the Court is required to consider the history and characteristics of the defendant, including his character, family, employment, and criminal history, financial resources, community ties, and record concerning appearance at court proceedings, among other factors. 18 U.S.C. § 3142(g)(3)(A). These facts and circumstances also bear upon how strong the evidence of dangerous might be for the second factor.

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3 *See United States v. Dorman*, 860 F.3d 675 (D.C. Cir. 2017):

> Constructive possession is a potentially expansive concept, and this court has limited its reach. The government must prove beyond a reasonable doubt that the defendant knew of, and was in a position to exercise dominion and control over, the contraband. . . . The court has addressed the sufficiency of the evidence of dominion and control in three circumstances: First, the court has held the evidence of constructive possession is sufficient when contraband is found in a home or bedroom where the defendant was the sole occupant. . . . Second, where the defendant shares a home or bedroom with other persons, the court has held the evidence of dominion and control is sufficient only where there was additional evidence linking the defendant to the contraband. . . . Third, where law enforcement encountered the defendant in close proximity to the contraband, the court has held the evidence of constructive possession was sufficient where there is evidence of some other factor—including connection with [contraband], proof of motive, a gesture implying control, evasive conduct, or a statement indicating involvement in an enterprise.

Id. at 679–80 (citations and internal quotations omitted).

The thirty-six year old defendant has only one prior criminal conviction: a 2004 conviction for possession with intent to distribute five grams or more of cocaine base and one count of simple possession of a controlled substance, for which he received concurrent terms of sixty and twelve months, as well as possession and use of a firearm during the drug trafficking offense for which he received a consecutive sentence of sixty months. *See United States v. Lovelace,* 1:03-cr-00162. While there appears to have been one revocation hearing along the way, the defendant successfully completed his term of supervised release in 2016. There have been no convictions for crimes of violence before or since, and while the Pretrial Services report states that there have been additional arrests, the government has not alerted the Court to any arrests between the conclusion of defendant's term of supervised release and his arrest in this case approximately three years later.

The defendant was arrested on February 13, 2020, and he was released into the High Intensity Supervision Program. During the month between that time and the federal indictment, there were no infractions noted in connection with the program.[4]

So the defendant does not have a spotless record, and it is certainly troubling that even after all this time, the charges are quite similar to the charges from the past. But there is not much in his criminal history that points to a finding that he is violent or has harmed anyone directly even though he has been involved in activity that poses a real danger to the community.

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4 The Court feels compelled to point out at this point that it is somewhat disappointed by the level of candor in the government's opposition. The prosecution docketed a pleading that stated:

> [D]efendant claims that he was compliant while on HISP in the underlying Superior Court case. However, upon reviewing the docket entries to the Superior Court case, it appears that this is not accurate: Defendant was released into HISP on February 17, 2020, and Pretrial Services Agency had filed two notices noncompliance on March 9 and March 11, 2020. In fact, the Superior Court judge had scheduled a show cause hearing based upon that noncompliance, which was ultimately vacated when the Superior Court case was dismissed.

Opp. at 5.

The Court appreciates the government's prompt correction of the record, *see* Supplement to Govt's Opp. [Dkt. # 36], but it would have been more appropriate to ask for additional time to oppose defendant's motion if additional information was needed. Or the government should have stated that there were notices issued for reasons it had not yet been able to ascertain rather than affirmatively representing – without a factual basis to do so – that the defendant's "claim" that he was compliant was "inaccurate."

And on the positive side, the defendant states that he has been employed as a delivery person for Amazon.com for approximately a year, and Pretrial Services was able to verify this information. He has ties to the District as his fiancée and children live here as well.

D. The Nature and Seriousness of the Danger to Any Person or the Community That Would Be Posed by the Defendant's Release

Finally, the Court considers "the nature and seriousness of the danger to any person or the community that would be posed" by defendant's release. 18 U.S.C. § 3142(g)(4). This focuses the Court squarely on the question that underlies the entire motion: has the government established, by clear and convincing evidence, that there are no conditions or combination of conditions that would assure the safety of the community? This is what the Bail Reform Act requires even if the statute embodies a legislative determination that detention is warranted for certain classes of crimes. *See* 18 U.S.C. §3142(f).

Here, the government's showing is predicated almost entirely on the statutory presumption, and it does not specifically address why HISP, with home detention and/or an electronically monitored curfew, would not do the trick, particularly under current circumstances.

In sum, this is a very close case. What was going on the kitchen, in full view of the defendant, was activity that must be presumed to pose a danger to the community. The easy availability of multiple weapons and extra ammunition in an apartment that appears to have been serving no function other than as a location for processing and selling dangerous narcotics multiplied the risk that someone could get hurt. But the evidence has not yet differentiated one defendant's role from that of another, and the Court has not been persuaded by the government that stringent HISP conditions would not suffice in this particular defendant's case.

The Court cautions the defendant, though, that with this Order, he will hold the keys to his ability to remain in the community, and that the Court may not be as flexible if confronted with evidence of any violations of the conditions of release.

For all of these reasons, the Court hereby **GRANTS** the defendant's motion and **ORDERS** his release to the Pretrial Services Agency's High Intensity Supervision Program with electronic monitoring, and with the condition of permanent home confinement, which may be modified, with

the approval of the Pretrial Services Agency ("PSA"), to enable the defendant to work during specified hours in a verified position. [5]

The defendant is further **ORDERED** to report to 633 Indiana Avenue, NW, 9th Floor, in Washington, D.C. on the day he is released – or on the next business day after his release if he is released after 4:00 p.m. – for the installation of the ankle bracelet, and he must follow the instructions he receives there concerning orientation. He must report immediately after that to the Pretrial Services Agency for the United States District Court at 333 Constitution Avenue, NW, Office 2507 in Washington, D.C., and he must sign the orientation contract.

The defendant is **ORDERED t**o follow all of the rules, regulations, and requirement of the Program listed in the orientation contract, which is incorporated herein by reference. He must maintain reporting requirements as directed by PSA, abide by an electronically-monitored curfew, participate in all drug testing / drug program requirements, and abide by all other conditions imposed by the Court and as directed by PSA. Defendant's failure to refrain from illegal drug use or to comply with the drug testing condition will result in an assessment for his placement into the Sanction-Based Treatment Program. Any other violation of his program requirements will subject him, at a minimum, to administrative sanctions.

Defendant will be supervised by a type of electronic monitoring device to be determined by PSA. He is required to properly maintain and charge the monitoring device each day. Any attempt to tamper with or mask the device's monitoring capability may result in removal from the program and/or additional criminal charges.

As a condition of his release, defendant must maintain a **24-hour curfew** at 923 Wahler Place SE, Washington, D.C. 20032. Defendant may not leave that address without pre-approval from PSA. If defendant complies with all of the terms of his home confinement for 21 days, and his employment is verified, he may seek modification of this Order and of his curfew to enable him to go to work during specified weekday daytime hours. Any violation of defendant's program requirements will result, at a minimum, in the extension of the 24-hour curfew.

Defendant must maintain his residence at the address above and may not change his residence without prior notification to, and approval of, the Court or the Pretrial Services Agency.

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5 In light of the Court's decision to grant the motion based on the application of the Bail Reform Act and Circuit precedent, it is not necessary to address whether and how the potential impact of the Coronavirus on the jail population should factor into the analysis.

Defendant is further **ORDERED** to **STAY AWAY** from 3137 Buena Vista Terrace, SE, Washington, D.C. A violation of the stay away order will result in the immediate placement in home confinement and a request by Pretrial Services for an expedited Court hearing.

The Court is to be notified of any violations of this Order.

SO ORDERED.

AMY BERMAN JACKSON
United States District Judge

DATE: March 25, 2020