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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUSAB MOHAMMED MASMARI,

Defendant.

NO. CR14-122 Rsm

GOVERNMENT'S MOTION FOR  
DETENTION

The United States moves for pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

**1. Eligibility of Case.** This case is eligible for a detention order because this case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156)
- Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence of ten years or more
- Crime with a maximum sentence of life imprisonment or death
- Drug offense with a maximum sentence of ten years or more

- 1     — Felony offense and defendant has two prior convictions in the four categories
- 2     above, or two State convictions that would otherwise fall within these four
- 3     categories if federal jurisdiction had existed.
  
- 4     — Felony offense involving a minor victim other than a crime of violence
  
- 5     — Felony offense, other than a crime of violence, involving possession or use of a
- 6     firearm, destructive device (as those terms are defined in 18 U.S.C. § 921), or
- 7     any other dangerous weapon
  
- 8     — Felony offense other than a crime of violence that involves a failure to register
- 9     as a Sex Offender (18 U.S.C. § 2250)
  
- 10    X Serious risk the Defendants will flee
  
- 11    X Serious risk of obstruction of justice, including intimidation of a prospective
- 12    witness or juror

13       **2. Reason for Detention.** The Court should detain the Defendant because there  
14 are no conditions of release which will reasonably assure (check one or both):

- 15    X Defendant's appearance as required
- 16    X Safety of any other person and the community

18       **3. Rebuttable Presumption.** The United States will not invoke the rebuttable  
19 presumption against Defendant under § 3142(e). The presumption applies because:

- 21    — Probable cause to believe defendant committed offense within five years of
- 22    release following conviction for a "qualifying offense" committed while on
- 23    pretrial release.
  
- 24    — Probable cause to believe defendant committed drug offense with a maximum
- 25    sentence of ten years or more
  
- 26    — Probable cause to believe Defendants committed a violation of one of the
- 27    following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or kidnap),
- 28    2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)

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— Probable cause to believe defendant committed an offense involving a victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.

**4. Time for Detention Hearing.** The United States requests that the Court conduct the detention hearing:

- At the initial appearance
- After continuance of \_\_\_ days.

DATED this 2<sup>nd</sup> day of May, 2014.

Respectfully submitted,  
JENNY A. DURKAN  
United States Attorney

  
 \_\_\_\_\_  
 TODD GREENBERG  
 Assistant United States Attorney