

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 15-CR-329 (JNE-KMM)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER OF DETENTION

NEGAR GHODSKANI(3),

Defendant,

The defendant, Negar Ghodskani, made her first appearance before the Court on July 22, 2019. Ms. Ghodskani was present and represented by her attorney, Robert Richman. The United States was represented by Assistant United States Attorney Charles J. Kovats, Jr.

Ms. Ghodskani is charged by indictment with several export-related offenses related to her alleged role in unlawfully procuring controlled technology from the United States and delivering it to Iran. Specifically, Ms. Ghodskani is charged with Conspiracy to Defraud the United States, in violation of Title 18, U.S.C. § 371; Smuggling, in violation of Title 18, U.S.C. § 554; False Statement, in violation of Title 18, U.S.C. § 1001; and Money Laundering, in violation of Title 18, U.S.C. § 1956(a)(2)(A).

At Ms. Ghodskani's first appearance, the United States made an oral motion to detain Ms. Ghodskani based on the risk that she might not appear at future proceedings. Ms. Ghodskani did not object to the government's motion.

DISCUSSION

Ms. Ghodskani is an Iranian citizen with significant overseas ties but none to the United States. She grew up in Iran and lived there the majority of her life. Most of her family still resides in Iran. Ms. Ghodskani previously studied in India and had been living in Australia with her immediate family and gainfully employed at the time of her arrest. However, before her extradition from Australia to the United States late last week, Ms. Ghodskani had never before entered the United States. She does not have family, employment, or a residence in the United States. Indeed, she has no ties here.

Under 18 U.S.C. § 3142, pretrial detention may be ordered either upon a clear and convincing showing that release will result in a danger to the community or upon a showing by a preponderance of the evidence that release will result in a serious risk of flight.

The Court finds by a preponderance of evidence that there is a serious risk Ms. Ghodskani would not appear if released. First, detention is appropriate because Ms. Ghodskani has no ties to the United States. Second, Ms. Ghodskani has significant ties to both Australia and Iran and a demonstrated ability to travel internationally and live in a new country on a long-term basis. Finally, the Court also relies on Ms. Ghodskani's non-objection to detention.

CONCLUSION

Based upon the evidence presented, the Court concludes that the government has shown by a preponderance of the evidence that no condition or combination of conditions of bond will reasonably ensure Ms. Ghodskani's appearance in court. Accordingly,

IT IS HEREBY ORDERED that:

1. The motion of the United States for detention of Ms. Ghodskani is granted;
2. Ms. Ghodskani is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
3. Ms. Ghodskani shall be afforded reasonable opportunity to consult privately with her lawyer; and
4. Upon Order of the Court, the person in charge of the corrections facility in which the Ms. Ghodskani is confined shall deliver her to the United States Marshal for the purpose of appearance in connection with a court proceeding.

Dated: July 23, 2019

s/Katherine M. Menendez
The Honorable Katherine M. Menendez
United States Magistrate Judge