

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 17-6003-SELTZER

UNITED STATES OF AMERICA,

Plaintiff,

v.

ESTEBAN SANTIAGO RUIZ,

Defendant.

DETENTION ORDER

Pursuant to 18 U.S.C. § 3142(f), on January 17, 2017, a hearing was held to determine whether Defendant, **Esteban Santiago Ruiz** should be detained prior to trial. Having considered the factors enumerated in 18 U.S.C. § 3142(g), this Court finds that no condition or combination of conditions will reasonably assure the appearance of this Defendant as required and/or the safety of any other person and the community. Therefore, it is hereby ordered that Defendant, **Esteban Santiago Ruiz** be detained prior to trial and until the conclusion thereof.

In accordance with the provisions of 18 U.S.C. § 3142(i), the Court hereby makes the following findings of fact and statement of reasons for the detention:

1. The Defendant is charged with performing an act of violence against a person at an airport, in violation of 18 U.S.C. § 37(a)(1); using and carrying a firearm during the commission of a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A), and causing the death of a person through the use of a firearm in the course of a violation of 18 U.S.C. § 924(c), in violation of 18 U.S.C. § 924(j). Therefore, the Defendant is charged with crimes of violence. 18 U.S.C. § 3142(g)(1).

2. The weight of the evidence against the Defendant is substantial. Government witnesses will testify that on January 6, 2016, the Defendant shot eleven people at the Fort Lauderdale International airport, killing five people and wounding six others. After being advised of his Miranda rights, the Defendant admitted to loading his checked firearm in an airport men's room and concealing it in his waistband. Once in the baggage claim area of the airport's Terminal 2, the Defendant began firing at random. 18 U.S.C. § 3142(g)(2).

3. The pertinent history and characteristics of the Defendant are that he is 26 years old and a resident of Anchorage, Alaska. The Defendant is unemployed and has no assets. He has no ties to the Southern District of Florida and faces life in prison or death if convicted of the offenses charged in the Complaint. The Defendant has no incentive to appear for trial and constitutes a risk of flight. 18 U.S.C. § 3142(g)(3)(A) and (B).

4. There is probable cause to believe the Defendant shot eleven people and caused the death of five of them, all crimes of violence. Accordingly, the Defendant constitutes a danger to the community. 18 U.S.C. § 3142(g)(4).

5. The Court specifically finds that there are no conditions or combination of conditions which reasonably will assure the Defendant's appearance as required and/or the safety of any other person and the community. 18 U.S.C. § 3142(e).

Based upon the above findings of fact, which were supported by clear and convincing evidence, the Court has concluded that this Defendant presents a danger to the community and a serious risk of flight if released prior to trial. The Court hereby directs:

(a) That the Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal;

(b) That the Defendant be afforded reasonable opportunity for private consultation with counsel; and

(c) That, on order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which the Defendant is confined deliver the Defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DONE AND ORDERED at Fort Lauderdale, Florida, this 19th day of January, 2017.


LURANA S. SNOW
UNITED STATES MAGISTRATE JUDGE

Copies to:

AUSA Ricardo Del Toro (MIA)
AUSA Lawrence LaVecchio (FTL)
AFPD Robert Berube (FTL)

U.S. Probation (FTL)