

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	CRIMINAL NO. 2007-002
v.	)	
	)	
BEATRICE LAWRENCE	)	
	)	
Defendant.	)	
_____	)	

ORDER

FINCH, J.

THIS MATTER comes before the Court on the Motion to Reconsider Release of Defendant filed by the government. An evidentiary hearing was held on August 20, 2008. As grounds for this motion, the government cites to Title 18, United States Code, Section 3143(a)(2), which mandates that a court order a defendant detained awaiting imposition of sentence unless: (1) there is a substantial likelihood that the motion for acquittal or new trial will be granted; or (2) the government recommended that no sentence of imprisonment be imposed on the defendant, and (B) the court finds no flight risk or danger to the community. The Court previously denied the government's request that Defendant be detained pending sentencing, finding that Defendant was neither a flight risk, nor a danger to the community. However, Section 3143(a)(2) requires that a court find either 3143(a)(2)(A)(i) or 3143(a)(2)(A)(ii) *and* 3143(a)(2)(B). The government has not recommended that no sentence of imprisonment be imposed and, at this time, the Court does not find that a motion for acquittal or new trial will be granted with respect to Defendant. After careful consideration and the Court being advised in the premises, it is hereby

ORDERED that the government's Motion to Reconsider Release of Defendant is **GRANTED**. It is further

ORDERED that the Court's decision allowing Defendant to be released pending sentencing is **VACATED**. It is further

ORDERED that Defendant be taken into the custody of the United States Marshall Service pending sentencing.

ENTERED this 20th day of August, 2008.

/s/
HONORABLE RAYMOND L. FINCH
U.S. DISTRICT JUDGE