

1 interests of justice. See Aronson v. May, 85 S.Ct. 3, 5, 13 L. Ed. 2d 6 (1964) (Douglas, Justice, in
2 chambers); Benson v. California, 328 F.2d 159, 162 (9th Cir. 1964). In addition to these factors, the
3 Court must take into consideration the petitioner's risk of flight and the danger to the community
4 should the petitioner be released. Marino v. Vasquez, 812 F.2d 499, 508-09 (9th Cir. 1987). Petitioner
5 has made none of these showings.

6 **RECOMMENDATION**

7 Accordingly, the Court RECOMMENDS that Petitioner's request for release on bail pending
8 determination of the petition be DENIED.

9 This Findings and Recommendation is submitted to the United States District Court Judge
10 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636 (b)(1)(B) and Rule 304 of the
11 Local Rules of Practice for the United States District Court, Eastern District of California. Within
12 twenty-one days after being served with a copy, any party may file written objections with the Court.
13 Such a document should be captioned "Objections to Magistrate Judge's Findings and
14 Recommendation." Replies to objections must be filed within ten court days of the date of service of
15 any objections. The Court will then review the Magistrate Judge's ruling pursuant to 28 U.S.C. § 636
16 (b)(1)(C). The parties are forewarned that failure to file objections within the specified time may
17 waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

18
19 IT IS SO ORDERED.

20 Dated: September 24, 2019

/s/ Jennifer L. Thurston
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28