

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 04-14052-CR-MOORE (S)

UNITED STATES OF AMERICA

Plaintiff,

v.

ANTHONY MILTON SMITH

DOB: 10/13/67 (J)

Defendant.

FILED by me D.C.
MAG. SEC.
SEP 24 2004
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. - MIAMI

ORDER ON INITIAL APPEARANCE

AUSA _____
Agent ICE _____

Language ENGLISH
Tape No. 04I-46-1958

The above-named defendant having been arrested on 09/24/04 having appeared before the court for initial appearance on 09/24/04 and proceedings having been held in accordance with **Fed.R.Cr.P. r. 5 or 40(a)**, it is thereupon **ORDERED** as follows:

1. _____ appeared as permanent/temporary counsel of record.
Address: _____
Zip Code: _____ Telephone: _____
2. ATPD appointed as permanent counsel of record.
Address: _____
Zip Code: _____ Telephone: _____

3. The defendant shall attempt to retain counsel and shall appear before the court at 10:00 a.m. on _____, 2004.

4. Arraignment Preliminary/Removal/Identity hearing is set for 10am 9-28-04, 2004.

5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. Section 3142 (d) or (f) because _____

A detention hearing, pursuant to 18 U.S.C. Section 3142(f), is set for 10am 9-28-04, 2004.

6. The defendant shall be released from custody upon the posting of the following type of appearance bond, pursuant to 18 U.S.C. Section 3142:

This bond shall contain the standard conditions of bond printed in the bond form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- a. Surrender all passports and travel document to the Pretrial Services Office.
- b. Report to Pretrial Services as follows: _____ times a week by phone, _____ time a week in person; other: _____
- c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.

Handwritten initials/signature

ANTHONY MILTON SMITH

- d. Maintain or actively seek full time gainful employment.
- e. Maintain or begin an educational program.
- f. Avoid all contact with victims of or witnesses to the crimes charged.
- g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- h. Comply with the following curfew: _____
- i. Avoid all commercial transportation facilities; no airports, no marinas, no bus terminals.
- j. Comply with the following additional special conditions of this bond:

This bond was set: At Arrest _____
 On Warrant _____
 After Hearing _____

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is _____

 If this space is checked, an evidentiary hearing pursuant to United States v. Nebbia, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

- 7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
- 8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

DONE AND ORDERED at Miami, Florida this 24TH day of SEPTEMBER, 2004.



THEODORE KLEIN
UNITED STATES MAGISTRATE JUDGE

c: Assistant U.S. Attorney
Defense Counsel
Pretrial Services