

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
v.)	
)	Case No. _____
_____)	
)	
Defendant.)	
)	

WAIVER OF DETENTION HEARING

I understand that I have been charged with one or more offense(s) in a criminal complaint or indictment, and that the United States has moved for my detention pending trial pursuant to 18 U.S.C. § 3142(f).

A magistrate judge has informed me that I have the right to a prompt hearing to determine whether any condition or combination of conditions will reasonably assure my appearance at future hearings and the safety of any other person and the community. I understand that at the hearing I would have the right to:

- hear and review all evidence presented by the United States in support of its motion to detain me pending the trial in the case;
- be represented by counsel who could challenge any evidence presented by the United States, including objecting to any evidence and cross-examining any witnesses;
- present all evidence in support of my release; and
- all other procedural rights afforded by the Bail Reform Act.

Upon consultation with my attorney, I further understand that:

- the burden is on the United States to prove by a preponderance of the evidence that I pose a risk of nonappearance, or by clear and convincing evidence that I pose a risk of safety to another person or the community, and that no condition or combination of conditions will mitigate these risks;
- there may be a rebuttable presumption in favor of my detention, which I would only overcome if I can present credible evidence to rebut the presumption;
- if I waive my right to the detention hearing I will be detained pending trial in this matter; and
- I will be prohibited from requesting a detention hearing in the future unless the Court finds there is new and material information that is presently unknown to me.

By signing below, I affirm that I am executing this waiver knowingly and voluntarily, not under any threat, duress, or coercion, and no one has made me any promises in exchange for this waiver. I am signing below after sufficient consultation with my attorney, who has explained this document, whether a presumption of detention applies to my case, and the effect of waiving my right to a detention hearing. By executing this waiver, I understand that I will be held in a detention facility pending my trial and do not seek to challenge the motion for detention and its basis asserted by the United States.

I acknowledge that I am the defendant in this case, that I agree to waive my right to a detention hearing pursuant to 18 U.S.C. § 3142, and that I am aware of the impact of this waiver.

Date: _____

Signature of Defendant

Signature of Defense Counsel