

From: [REDACTED]

To: [REDACTED]

Subject: RE: Bail orders

Date: Wed, 25 Mar 2020 19:11:00 +0000

Attachments: 2020-03-XX_- _Letter_Opposing_Bail_v2.docx

This is what I filed with Buchwald that led to the Order [REDACTED] circulated a little while ago. It responded to, what I have been calling, the defense-circulated boilerplate "airing of grievances" about BOP.

From: [REDACTED]

Sent: Wednesday, March 25, 2020 3:06 PM

To: [REDACTED]

Subject: RE: Bail orders

All –

I am guessing everyone is getting inundated with these. If possible, could people reply all with the word version of what they've been submitting? I am assuming that the requests fall in the following categories:

1. Boilerplate request (i.e., pretrial detention and defendant has no risk factors)
2. Pretrial detention with certain risk factors (heart condition; asthma, etc.)
3. Post plea, pre-sentence
4. Post sentence

I am attaching one I did in a post sentence case. The defendant has to go through BOP process before applying to the court for compassionate release. I am also attaching two from a gang case (one defendant had diabetes and the other was more general). These were filed before the confirmed MCC case. With respect to the diabetic defendant, Judge Daniels just denied the order without an opinion.

But, as we are handling many of these, it would be helpful to see what others are arguing.

Hope everyone is doing well!

From: [REDACTED]

Sent: Wednesday, March 25, 2020 2:54 PM

To: [REDACTED]

Subject: Bail orders

Attached is an order issued by Judge Engelmayer last week in a bail appeal. To the extent we end up consenting to bail or a judge orders bail, this order is a helpful example.

Also attached is an order from Judge Buchwald denying bail where defense raises the boilerplate COVID-19 argument we've been seeing in some cases. This could be helpful as we see more and more of these filed.

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