

2095522

AO 442 (Rev. 01/09) Arrest Warrant

UNITED STATES DISTRICT COURT

for the Eastern District of Virginia

MAY 13 2011

United States of America
v.
Jesse Curtis Morton
also known as
Younus Abdullah Mohammad
Defendant

Case No. 1:11 mj 386

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Jesse Curtis Morton, also known as Younus Abdullah Mohammad
who is accused of an offense or violation based on the following document filed with the court:

- Indictment [checked]
Superseding Indictment []
Information []
Superseding Information []
Complaint []
Probation Violation Petition []
Supervised Release Violation Petition []
Violation Notice []
Order of the Court []

This offense is briefly described as follows:
communicating threats, in violation of Title 18, United States Code, Sections 875(c) and (2)

Date: 05/13/2011

/s/
Thomas Rawles Jones, Jr.
United States Magistrate Judge

City and state: Alexandria, Virginia

RECEIVED MARSHALL
UNITED STATES DISTRICT COURT
ALEXANDRIA, VIRGINIA
MAY 13 P 4:55

Return

This warrant was received on (date) 5/13/2011, and the person was arrested on (date) 10/28/11
at (city and state) RABAT, MOROCCO

Date: 10/31/11

Arresting officer's signature
SCOTT MCGUCKIN, SPECIAL AGENT
Printed name and title

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EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES

JUDGE: IVAN D. DAVIS
CASE NO.: 11mj 386
HEARING: RSJ
DATE: October 31, 2011
TIME: 10am
REPORTER: FTR GOLD SYSTEM
CLERK: KATE TOTH

vs.

Jesse Curtis Matton
DEFENDANT(S)

COUNSEL FOR UNITED STATES: Gordon Kromberg
COUNSEL FOR DEFENDANT: wlo
INTERPRETER: _____ LANGUAGE: _____
 DEFT. APPEARED () THROUGH COUNSEL () FAILED TO APPEAR () WARRANT TO BE ISSUED

- RULE 5 ADVISEMENT () DEFT. ADMITS () DENIES VIOLATION
- COURT TO APPOINT COUNSEL - CJA () COURT FINDS DEFT. IN VIOLATION
- () DEFT. TO RETAIN COUNSEL
- () CONTACT PREVIOUS COUNSEL & REAPPOINT
- () PRELIMINARY EXAMINATION WAIVED
- () COURT FINDS PROBABLE CAUSE
- U.S. REQUESTS DETENTION GRANTED () DENIED
- () GOVT NOT SEEKING DETENTION
- DEFT. REMANDED () DETAINED () DEFT. CONTINUED ON BOND/PROBATION

CONDITIONS OF RELEASE:

- (\$ _____) UNSECURED (\$ _____) SECURED () PTS () 3RD PARTY () TRAVEL RESTRICTED
- () APPROVED RESIDENCE () SATT () PAY COSTS () ELECTRONIC MONITORING
- () MENTAL HEALTH TEST/TREAT () ROL () NOT DRIVE () FIREARM () PASSPORT
- () AVOID CONTACT () ALCOHOL & DRUG USE () EMPLOYMENT

MINUTES:

- () GOVT ADDUCED EVIDENCE & RESTS () EXHIBITS: _____
- () DEFT ADDUCED EVIDENCE & RESTS () EXHIBITS: _____

- FPD is conflicted out of this matter

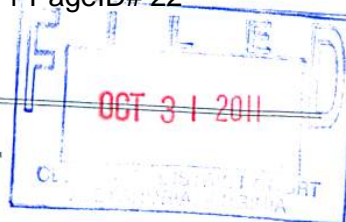
- () GOVT. () DEFT. () JOINT MOTION TO CONTINUE () GRANTED () DENIED

NEXT APPEARANCE:

11/3/11 AT 200 AM OR PM
 DH PH () STATUS () TRIAL () JURY () PLEA () SENT () PBV () SRV () VCR () R5
() ARRAIGN () INDENT () OTHER JUDGE _____

- () MATTER CONTINUED FOR FURTHER PROCEEDINGS BEFORE THE GRAND JURY
- () RELEASE ORDER GIVEN TO USMS

AO 470 (Rev. 01/09) Order Scheduling a Detention Hearing



UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

United States of America
v.

Jesse Curtis Morton
Defendant

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)

Case No. 11mj386

ORDER SCHEDULING A DETENTION HEARING

A detention hearing in this case is scheduled as follows:

| | |
|--|------------------------------|
| Place: US District Court for the Eastern District of Virginia 401 Courthouse Square Alexandria, VA 22314 | Courtroom No.: 400 |
| | Date and Time: 11/3/11 @ 2pm |

IT IS ORDERED: Pending the hearing, the defendant is to be detained in the custody of the United States marshal or any other authorized officer. The custodian must bring the defendant to the hearing at the time, date, and place set forth above.

Date: October 31, 2011

/s/
Ivan D. Davis
United States Magistrate Judge

Printed name and title

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CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2011, I electronically filed the foregoing NOTICE OF INTENT TO USE FOREIGN INTELLIGENCE SURVEILLANCE ACT INFORMATION with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

James W. Hundley
Briglia Hundley Nutall & Kay PC
1921 Gallows Rd
Suite 750
Vienna, VA 22182

/s/

Gordon D. Kromberg
Assistant United States Attorney
Virginia Bar No. 33676
Assistant United States Attorney
Attorney for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 837.8242 (fax)
gordon.kromberg@usdoj.gov

| | | | | | |
|---|--|--|--|----------------|--|
| 1. CIR./DIST./DIV. CODE VAE | | 2. PERSON REPRESENTED MORTON, JESSE | | VOUCHER NUMBER | |
| 3. MAG. DKT./DEF. NUMBER 1:11-0386MJ-001 | | 4. DIST. DKT./DEF. NUMBER | 5. APPEALS DKT./DEF. NUMBER | | 6. OTHER DKT. NUMBER |
| 7. IN CASE/MATTER OF (Case Name) US v. MORTON | | 8. PAYMENT CATEGORY Felony | 9. TYPE PERSON REPRESENTED Adult Defendant | | 10. REPRESENTATION TYPE (See Instructions) Criminal Case |
| 11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list (up to five) major offenses charged, according to severity of offense. 1) 18 875C.F -- INTERSTATE COMMUNICATIONS - THREATS | | | | | |
| 12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix) AND MAILING ADDRESS HUNDLEY, JAMES WARREN Suite 750 1921 Gallows Road Vienna VA 22182 Telephone Number: (703) 883-0880 | | | 13. COURT ORDER <input checked="" type="checkbox"/> O Appointing Counsel <input type="checkbox"/> C Co-Counsel <input type="checkbox"/> F Subs For Federal Defender <input type="checkbox"/> R Subs For Retained Attorney <input type="checkbox"/> P Subs For Panel Attorney <input type="checkbox"/> Y Standby Counsel Prior Attorney's Name: _____ Appointment Date: _____ <input type="checkbox"/> Because the above-named person represented has testified under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whose name appears in Item 12 is appointed to represent this person in this case, or <input type="checkbox"/> Other (See Instructions) Signature of Presiding Judicial Officer or By Order of the Court 10/31/2011 Date of Order _____ Nunc Pro Tunc Date _____ Repayment or partial repayment ordered from the person represented for this service at time of appointment. <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| 14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per instructions) | | | | | |

COPY

| CLAIM FOR SERVICES AND EXPENSES | | | FOR COURT USE ONLY | | |
|---|------------------------|----------------------|---|------------------------------|----------------------|
| CATEGORIES (Attach itemization of services with dates) | HOURS CLAIMED | TOTAL AMOUNT CLAIMED | MATH/TECH ADJUSTED HOURS | MATH/TECH ADJUSTED AMOUNT | ADDITIONAL REVIEW |
| 15. In Court a. Arraignment and/or Plea b. Bail and Detention Hearings c. Motion Hearings d. Trial e. Sentencing Hearings f. Revocation Hearings g. Appeals Court h. Other (Specify on additional sheets) (Rate per hour = \$) TOTALS: | | | | | |
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| 16. Out of Court a. Interviews and Conferences b. Obtaining and reviewing records c. Legal research and brief writing d. Travel time e. Investigative and Other work (Specify on additional sheets) (Rate per hour = \$) TOTALS: | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| 17. Travel Expenses (lodging, parking, meals, mileage, etc.) | | | | | |
| 18. Other Expenses (other than expert, transcripts, etc.) | | | | | |
| GRAND TOTALS (CLAIMED AND ADJUSTED): | | | | | |
| 19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM _____ TO _____ | | | 20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION | | 21. CASE DISPOSITION |
| 22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheets. I swear or affirm the truth or correctness of the above statements. Signature of Attorney: _____ Date: _____ | | | | | |
| APPROVED FOR PAYMENT -- COURT USE ONLY | | | | | |
| 23. IN COURT COMP. | 24. OUT OF COURT COMP. | 25. TRAVEL EXPENSES | 26. OTHER EXPENSES | 27. TOTAL AMT. APPR / CERT | |
| 28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER | | | DATE | 28a. JUDGE / MAG. JUDGE CODE | |
| 29. IN COURT COMP. | 30. OUT OF COURT COMP. | 31. TRAVEL EXPENSES | 32. OTHER EXPENSES | 33. TOTAL AMT. APPROVED | |
| 34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment approved in excess of the statutory threshold amount. | | | DATE | 34a. JUDGE CODE | |

UNITED STATES DISTRICT COURT

for the Eastern District of Virginia

United States of America

v.

JESSE CURTIS MORTON

Defendant

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Case No. 1:11-mj-386



DETENTION ORDER PENDING TRIAL

After conducting a detention hearing under the Bail Reform Act, 18 U.S.C. § 3142(f), I conclude that these facts require that the defendant be detained pending trial.

Part I—Findings of Fact

- (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has previously been convicted of...
(2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state release or local offense.
(3) A period of less than five years has elapsed since the...
(4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition will reasonably assure the safety of another person or the community.

Alternative Findings (A)

- (1) There is probable cause to believe that the defendant has committed an offense for which a maximum prison term of ten years or more is prescribed in under 18 U.S.C. § 924(c).

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 et seq.); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

- (2) The defendant has not rebutted the presumption established by finding 1 that no condition will reasonably assure the defendant's appearance and the safety of the community.

Alternative Findings (B)

- (1) There is a serious risk that the defendant will not appear.
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

The defendant presents a risk of nonappearance due to familial ties abroad; prior charges for being a fugitive from justice; pending/active warrant out of Philadelphia, Pennsylvania for failure to appear; recent and frequent travel abroad; and defendant residing in Morocco at the time of his arrest for the charged offense.

Defendant also presents a risk of danger to the community due to the nature of the charged offense; prior criminal record; pending charges in Philadelphia, Pennsylvania; history of arrests while on pre-trial release and post-conviction supervision; non-compliance with court order, to include previous violation of post-conviction supervision; and other information provided to the Court by Pretrial Services which was discussed with counsel for the government and counsel for the defendant at a bench conference.

Part II— Statement of the Reasons for Detention

I find that the testimony and information submitted at the detention hearing establishes by clear and convincing evidence a preponderance of the evidence that

No condition or combination of conditions of release will reasonably assure the defendant's appearance at future court proceedings.

No condition or combination of conditions of release will reasonably assure the safety of the community.

See above. A more complete state of reasons for detention has been recorded and is available for transcription in event of appeal.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. The defendant must be afforded a reasonable opportunity to consult privately with defense counsel. On order of United States Court or on request of an attorney for the Government, the person in charge of the corrections facility must deliver the defendant to the United States marshal for a court appearance.

Date: November 4, 2011

/s/
Ivan D. Davis
United States Magistrate Judge

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