

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
) No. 24-mj-1036
)
) JUDGE NEWBERN
PAUL FAYE)

**UNITED STATES’ MOTION FOR DETENTION HEARING
AND FOR DETENTION OF THE DEFENDANT**

COMES NOW the United States of America by Henry C. Leventis, United States Attorney, and Josh Kurtzman, Assistant United States Attorney, and moves this Court for a detention hearing and for detention of the Defendant in this matter. Federal law holds that “the judicial officer shall hold a hearing to determine whether any conditions or combination of conditions...will reasonably assure...the safety of any other person and the community – upon motion of the attorney for the Government or upon the judicial officer’s own motion in a case, that involves...any felony...that involves the possession of or use of a firearm.” 18 U.S.C. § 3142(f)(1)(E). The statement in support of the Criminal Complaint in this case describes that the Defendant illegally possessed and transferred a firearm that is regulated by the National Firearms Act in violation of 26 U.S.C. § 5861(d), which is a felony. Therefore, the Court should set a detention hearing based on the fact that, statutorily, the Government is entitled to one on their own motion in a case involving this offense.

Further, the United States would submit that the alleged offense, as described in the Criminal Complaint, follows the Defendant’s planning over the course of eighteen months to travel to the border and commit acts of violence against migrants and federal law enforcement. The Defendant also actively recruited and encouraged others to engage in similar conduct.

The United States respectfully requests a continuance of three business days in order to adequately prepare for the hearing in this matter.

Respectfully submitted,

HENRY C. LEVENTIS
United States Attorney

By:

/s/ Josh Kurtzman
Joshua A. Kurtzman
Assistant U.S. Attorney
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing will be served electronically to counsel for defendant via CM/ECF on February 5, 2024.

/s/ Josh Kurtzman
Joshua A. Kurtzman