

THE HONORABLE TIFFANY M. CARTWRIGHT

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

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|-----------------------------|---|-------------------|
| UNITED STATES OF AMERICA,   | ) | No. CR25-5354-TMC |
|                             | ) |                   |
| Plaintiff,                  | ) |                   |
|                             | ) |                   |
| v.                          | ) |                   |
|                             | ) |                   |
| ALIM HAFFIZ JALLO-JAMBORIA, | ) |                   |
|                             | ) |                   |
| Defendant.                  | ) |                   |

**EXHIBIT A**

TO MOTION TO REVOKE DETENTION ORDER  
(DKT. 15]

# **USA v. Jallo-Jamboria**

## **Hearing (December 16, 2025)**



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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

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UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. 3:25-mj-05447-PLM  
v. )  
ALIM HAFFIZ JALLO-JAMBORIA, )  
Defendant. )

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DETENTION HEARING  
The Honorable Grady J. Leupold Presiding  
December 16, 2025

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A P P E A R A N C E S

On Behalf of Plaintiff:

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Also Present:

TIANA KEOMALU, Pretrial Services

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2 December 16, 2025

3  
4 THE COURTROOM DEPUTY: Calling the matter of United  
5 States of America v. Alim Haffiz Jallo-Jamboria, Case  
6 No. mj25-5447.

7 Parties, if you could please identify yourself for  
8 the record?

9 MS. ELLSWORTH: Good afternoon, Your Honor. Marci  
10 Ellsworth for the United States.

11 THE COURT: Good afternoon, Ms. Ellsworth.

12 MS. FISH: Good afternoon, Your Honor. Rebecca  
13 Fish, on behalf of Mr. Jallo-Jamboria, who is seated to  
14 my left.

15 THE COURT: All right. Good afternoon, Ms. Fish.  
16 And good afternoon, Mr. Jallo-Jamboria.

17 MR. JALLO-JAMBORIA: Good afternoon, Your Honor.

18 THE COURT: Good afternoon.

19 OFFICER KEOMALU: Good afternoon, Your Honor.  
20 Tiana Keomalu from Pretrial Services.

21 THE COURT: Good afternoon, Officer Keomalu.

22 All right.

23 All right, sir, as I understand it, you have -- you  
24 are in custody pursuant to a criminal complaint that has  
25 been sworn out, charging you with a federal offense. So

1 the purpose of today's hearing is to conduct what's  
2 called an initial appearance. So we're going to advise  
3 you of the nature of that charge, the potential penalties  
4 associated with that charge --

5 Ms. Fish?

6 MS. FISH: Your Honor, I was just going to say he  
7 had his initial appearance in Seattle last week when all  
8 new arrests were brought there, so I think today is just  
9 the detention hearing.

10 THE COURT: Thank you.

11 So because you have already received that initial  
12 appearance, sir, we're going to conduct just the  
13 detention hearing. So the purpose of today's hearing is  
14 to do just that.

15 Is that your understanding as to the purpose of  
16 today's hearing?

17 MR. JALLO-JAMBORIA: Yes, Your Honor.

18 THE COURT: All right. Thank you.

19 And then, Ms. Fish, I did have an opportunity to  
20 review the docket before I mistakenly began an initial  
21 appearance. What's your understanding as to the extent  
22 to which the parties discussed the government's right to  
23 a detention hearing during that initial proceeding?

24 MS. FISH: Your Honor, I don't -- I'm not aware  
25 that there was any discussion at that initial appearance,

1 so I am prepared to argue about that today, Your Honor.

2 THE COURT: All right. Anything else you can --  
3 any other information about that, that you haven't  
4 provided to the Court, Ms. Ellsworth?

5 MS. ELLSWORTH: Your Honor, I don't know the extent  
6 to which the eligibility was discussed at the previous  
7 appearance.

8 THE COURT: Okay. All right.

9 So, Ms. Ellsworth, you have filed your Motion for  
10 Detention. Upon what basis do you believe the government  
11 is entitled to a detention hearing in this matter?

12 MS. ELLSWORTH: Subsection (f)(2)B of 3142, Your  
13 Honor: A serious risk that the Defendant will obstruct  
14 or attempt to obstruct justice, or threaten, injure, or  
15 intimidate, or attempt to do so, a prospective witness.

16 THE COURT: Okay. And you may be heard.

17 MS. ELLSWORTH: Thank you, Your Honor. With  
18 relation to the argument that this is eligible for a  
19 detention hearing, the nature of the alleged offense  
20 itself and the facts set forth in the complaint  
21 illustrate the serious risk that this particular  
22 Defendant poses. There is a risk to two victims,  
23 Victim 1 and Victim 2.

24 As set forth in the complaint, Mr. Jallo-Jamboria,  
25 without any apparent provocation that's known to the

1 government at this point, threatened and intimidated two  
2 people. They were -- those threats and that intimidation  
3 were, according to the complaint, written in text  
4 messages. They were effectuated through the placement of  
5 a tracking device in the spare tire well of Victim 1's  
6 vehicle; and the threats and the intimidation, the threat  
7 to injure occurred when Mr. Jallo-Jamboria twice  
8 brandished or displayed a firearm that, as set forth in  
9 the complaint at least for that second occasion, was  
10 found to be a loaded firearm.

11 So these are not hypothetical risks. We're not  
12 talking about something that could happen or might  
13 happen. We're talking about something that a magistrate  
14 judge found probable cause to believe did happen. These  
15 are serious concrete acts that Mr. Jallo-Jamboria  
16 undertook.

17 He knows where both victims live. He has shown  
18 some degree of technological savvy by obtaining the  
19 planning devi- -- the tracking device, which takes some  
20 advance planning, getting it, placing it in one of the  
21 victim's vehicles, having the corresponding software on  
22 his phone, and then being able to use that tracking  
23 device to follow Victim 1 to JBLM.

24 He's also shown a willingness to disregard the  
25 rules of entry for JBLM. It's my understanding that you

1 can bring a firearm onto the installation if it is  
2 registered. CID has found no information that the  
3 firearm Mr. Jallo-Jamboria had was registered. So just  
4 by bringing that onto the installation, again, that just  
5 shows the serious risk that this Defendant poses given  
6 his willingness to disregard rules.

7 So I won't continue on with my argument for  
8 detention, but I believe that the facts of this case,  
9 this specific case, show that Mr. Jallo-Jamboria does  
10 present a serious risk as required by the statute.

11 THE COURT: All right. Thank you, Ms. Ellsworth.

12 All right, Ms. Fish, you may be heard on just the  
13 threshold issue of whether or not the government is  
14 entitled to a detention hearing.

15 MS. FISH: Thank you, Your Honor.

16 I do not believe that the government has met their  
17 burden here. As the Court is well aware, it is  
18 specifically a risk of obstruction, not a generalized  
19 risk of danger. Certainly, I was just assigned this case  
20 last Thursday and investigation is very early, so I  
21 understand the Court can and will consider the  
22 allegations made in the complaint, but I do not  
23 necessarily personally agree that those are proven.

24 And I would note that the -- what the prior  
25 magistrate judge found was actually that the allegations

1 detailed in the complaint established probable cause for  
2 the offense, not that they had occurred. So I just  
3 wanted to be clear about that finding.

4 Here, the government argues that essentially the  
5 charge itself is proof of it establishing its threshold,  
6 a right to a detention hearing based on the serious risk  
7 of obstruction, but Congress chose not to enumerate this  
8 offense as one that could trigger a detention hearing.  
9 So I think that argument kind of fails on a facial level  
10 in terms of the offense itself being a basis to believe  
11 someone would obstruct justice.

12 Here, I don't believe that there is sufficient  
13 evidence that Mr. Jallo presents any risk of obstruction,  
14 let alone a serious risk which is heightened above the  
15 ordinary risk of flight that the government might show in  
16 other cases.

17 I received, I believe yesterday, from the  
18 prosecutor a short note written by the alleged Victim 1  
19 that stated she was not in fear for her safety. So if  
20 the person that the government is seeking to protect from  
21 obstruction indicates they're not concerned about that, I  
22 don't think that helps the government's case that this is  
23 a case where they are entitled to a detention hearing.

24 I, you know, also have looked at Mr. Jallo's record  
25 including in the Pretrial Services report. He has no

1 prior criminal history whatsoever. He's not been in  
2 trouble. He's been able to follow very strict rules  
3 during his several years serving in the United States  
4 Army. This has included him following those rules and  
5 keeping up with them, as well as now currently keeping up  
6 with his demanding course work in college, despite him  
7 dealing with some significant personal struggles,  
8 including the very tragic and sudden passing of his  
9 father in 2021.

10 I just don't believe here that there's any  
11 indication that he has any intent, desire, or inclination  
12 to interfere with the judicial process, let alone with  
13 any of the potential witnesses that the government may  
14 call in this case. Indeed, it appears one of those  
15 witnesses has indicated they are not worried about that.

16 So I don't think that the government has made the  
17 threshold showing. I think the fact that Congress  
18 omitted this from the list of enumerated offenses also  
19 supports that, you know, this type of allegation alone is  
20 not sufficient to make that threshold showing. And I  
21 would ask the Court to simply hold a hearing regarding  
22 conditions of release.

23 THE COURT: All right. Thank you, Ms. Fish.

24 All right. Ms. Fish, your arguments are  
25 well-taken. I do rely, though, upon the criminal

1 complaint that has been filed, even though I don't  
2 believe that is required as predicate evidence for this  
3 finding. It is a sworn affidavit. I do take the  
4 Defense's point, though, that the probable cause finding  
5 was as to the elements of the offense and not to the  
6 facts, but the facts remain contained within a sworn  
7 affidavit.

8 I also am able to rely upon the proffered  
9 information of the government, although Ms. Ellsworth did  
10 rely primarily upon the criminal complaint. And after my  
11 review of the information contained in the complaint, I  
12 do agree with Ms. Ellsworth's argument. The government  
13 is entitled to a detention hearing under 18 United States  
14 Code, Section 3142(f)(2)(B).

15 All right. Now we will proceed directly to a  
16 detention hearing. I had the opportunity to review the  
17 criminal complaint, the first Pretrial Services report,  
18 as well as the supplemental pretrial report.

19 I also received and had an opportunity to review an  
20 emailed statement via Ms. Tracy Orcutt of the U.S.  
21 Attorney's Office, which appears to come to us by  
22 Victim 1.

23 First, Ms. Fish, did you receive and have an  
24 opportunity to review each of those documents?

25 MS. FISH: Yes, Your Honor.

1 THE COURT: And do you object to the Court  
2 considering any of the information in any of those  
3 documents solely for the purposes of detention?

4 MS. FISH: No, Your Honor.

5 THE COURT: All right. And then, Ms. Fish, what  
6 additional information would you like to proffer or  
7 evidence can you offer at this time in support of your  
8 argument for release, presuming you're seeking your  
9 client's release today?

10 MS. FISH: I am, Your Honor.

11 Most of the information we would proffer is  
12 contained in that supplemental Pretrial Services report.  
13 I would also proffer that Mr. Jallo's uncle,  
14 Mr. Keramidas, is present in court, supporting him today  
15 and is prepared to take him home today.

16 I've also had the opportunity before court to  
17 review the proposed conditions with Mr. Jallo and he  
18 understands and is prepared to accept those conditions.

19 Kind of the -- I'm happy to answer any more  
20 detailed questions, but the general information is  
21 contained in the Pretrial Services report.

22 THE COURT: All right. Thank you, Ms. Fish.

23 Ms. Ellsworth, do you object to the Court  
24 considering any of the information contained in any of  
25 the documents that I previously identified?

1 MS. ELLSWORTH: No. I would note, however, that in  
2 the Pretrial Services report, Mr. Jallo-Jamboria was not  
3 arrested on a warrant in this case. It was a probable  
4 cause arrest, so that clarification to the Pretrial  
5 Services report.

6 I did also last week email Ms. Fish and Pretrial  
7 Services Officer Sahore, who I don't know if she  
8 forwarded it to Officer Keomalu or not, one of the  
9 reports written by CID to add the additional fact to  
10 paragraph 14 of the complaint that not only was the  
11 firearm loaded, that there was a round chambered in it  
12 and there were additional rounds of ammunition found in  
13 the trunk of the vehicle.

14 THE COURT: And then, Ms. Ellsworth, any additional  
15 information to proffer at this time?

16 MS. ELLSWORTH: To proffer? No, Your Honor. But I  
17 would also note that Victim 2, I believe, is on the  
18 phone.

19 THE COURT: Okay. And so we'll segue into this at  
20 this time. So pursuant to the Victims' Rights Act,  
21 did -- has the government had an opportunity to notify  
22 both Victim 1 and Victim 2 of this hearing and have they  
23 been provided an opportunity to participate?

24 MS. ELLSWORTH: Yes. Victim 1 is present in the  
25 courtroom. Victim 2 is on the court's Zoom bridge line.

1 THE COURT: All right. And do you know when the  
2 time is appropriate whether or not one or both alleged  
3 victims would like to address the Court?

4 MS. ELLSWORTH: I believe they both do, Your Honor.

5 THE COURT: Okay. Thank you.

6 Ms. -- Officer Keomalu, do you have any additional  
7 information to offer at this time?

8 OFFICER KEOMALU: I do not, Your Honor.

9 THE COURT: Okay. All right, Ms. Fish, do you  
10 object to the Court considering the additional  
11 information proffered by Ms. Ellsworth?

12 MS. FISH: No, Your Honor. I did receive the  
13 report she referenced. It is a summary of one officer  
14 essentially summarizing other officers' statements, so to  
15 the extent that impacts the Court's -- the weight the  
16 Court gives that information.

17 THE COURT: Okay. Thank you.

18 All right. So at this time, Ms. Ellsworth, which  
19 victim would like to address the Court first, if you  
20 know?

21 MS. ELLSWORTH: Your Honor, Ms. Orcutt indicates  
22 that perhaps having Victim 2 proceed first would be best.  
23 She is also indicating that apparently he's having  
24 trouble hearing over the court's line, so I don't know if  
25 that's because we need to speak more directly into the

1 microphones or if there's a problem with the connection,  
2 but let's try to hear from him first.

3 THE COURT: All right. Let's give this a try.

4 Victim No. 2, this is the United States Magistrate  
5 Judge Grady Leupold. Can you hear me?

6 VICTIM 2: Yes, I can hear you.

7 THE COURT: All right. Are you prepared to address  
8 the Court?

9 VICTIM 2: (Inaudible) to say because I couldn't  
10 hear really nothing. Everything was all static.

11 THE COURT: Well, we can hear you, so let us know  
12 what you have to say.

13 VICTIM 2: Well, the first day I encountered him, I  
14 guess from what I was seeing, he was sending her  
15 messages, like kicking her car, taking air out of her  
16 tires. So me, like as a man, I'm not going to let no  
17 person, you know, do that to a female's car.

18 So I went to go step outside. And no one was  
19 outside when I stepped outside that I could see because  
20 it was already late at night. I'm the only person  
21 outside. And when I turned around, I'm like looking  
22 down. And I look up and there's like something pointed  
23 at my direction. It looked like a firearm to me but,  
24 like, I don't know if he -- he put it back in like in his  
25 pocket -- because he was wearing a hoodie.

1 But I don't know if he wanted to misidentify me or  
2 something. So that's when he said, "Oh, are you  
3 so-and-so?" And I lied. You know, I'm not going to give  
4 up my name. And, like, we kept walking, because he was  
5 following me. And I was able to lose him and that's when  
6 I went up back to the room and called the MPs.

7 The second altercation with him, I was just going  
8 to get a ride to work. And he pulled up behind us --  
9 with the female driving -- and starts kicking the window  
10 and starts showing his firearm. So yeah, I told her to  
11 drive.

12 We ex- -- we somehow made it out from being blocked  
13 in and he's chasing us. And we're going fast because  
14 he's chasing us, like trying to sideswipe us. And we're  
15 going, I'm saying, more than 80 miles per hour.

16 And I'm telling the girl, "Go to the MPs." Like,  
17 he -- I feel like he's not going to follow us if we go  
18 there. Yeah, but like he hit us from the back. And,  
19 like, my back is kind like fucked up. It's been hurting  
20 at work. And I'm like -- and I pick up a lot of stuff  
21 for work. So it's like I can't even work as -- like how  
22 I used to be.

23 Like, that's pretty much like he hit us, pointed a  
24 gun at me. I don't know what else there is to say.  
25 Like, I feel like -- like being on JBLM, you would think

1 it's being -- like, you'll be safe because it's, you  
2 know, a military base, but knowing that there's people  
3 like him, like a veteran, being able to come on base and  
4 just bring a firearm and like -- you know? That's pretty  
5 much it.

6 THE COURT: Is that it, sir?

7 VICTIM 2: Yeah.

8 THE COURT: All right. Thank you.

9 All right. Before we proceed to Victim 1,  
10 Ms. Ellsworth, there was a fair amount of factual detail  
11 proffered by Victim 2. Is the government rely -- seeking  
12 to rely upon that proffered information in support of its  
13 argument for detention?

14 MS. ELLSWORTH: Your Honor, I think that proffered  
15 information that Victim 2 just provided the Court is not  
16 inconsistent with what's in the complaint. What it does,  
17 I think, highlight for the Court is Victim 2's concern  
18 with Mr. Jallo-Jamboria and the concern that Victim 2 has  
19 for his safety.

20 THE COURT: Okay. Thank you, Ms. Ellsworth.

21 Ms. Fish, in addition to giving Victim 2 an  
22 opportunity to be heard, which the Court did, do you  
23 object to the Court otherwise considering any of the  
24 information contained in that statement in support of the  
25 government's detention order?

1 MS. FISH: Your Honor, I do not believe it supports  
2 the government's detention motion in that it's -- I  
3 disagree that -- I do think some of the statements were  
4 inconsistent with the -- what -- albeit secondhand,  
5 allegations made in the complaint including the  
6 allegation of brandishing on the first occasion, which  
7 Victim 2 today seemed to back away from and did not  
8 allege that that was for sure what had happened.

9 So, you know, I think the Court can take it all  
10 into consideration in the weight it gives any of the  
11 allegations made by the government with regard to  
12 Mr. Jallo today. And I certainly recognize that he does  
13 have a right to address the Court as part of the Victim  
14 Rights Act, so I don't dispute that, but I don't agree  
15 that it supports the government's motion for detention.  
16 I think somewhat to the counter.

17 THE COURT: Certainly, but you don't otherwise  
18 contest -- or you don't object to the Court considering  
19 the factual information contained in the statement?

20 MS. FISH: I guess I don't object to the Court  
21 considering the statement. I think the statement creates  
22 some disputes of fact within -- between the complaint and  
23 the statement, Your Honor.

24 THE COURT: And by virtue of that, the Defense can  
25 also rely upon that --

1 MS. FISH: Yes, Your Honor.

2 THE COURT: -- as well.

3 All right, Ms. Ellsworth, is Victim 1 prepared to  
4 address the Court?

5 MS. ELLSWORTH: Yes, Your Honor.

6 VICTIM 1: Hi, Your Honor. My name is [Victim 1].

7 I just want to let you know, I don't fear for my safety.

8 Ellsworth also mentioned there was ammo in the  
9 trunk of Jallo's car. I already told CID that was my  
10 ammo, so I don't believe they should even bring that up  
11 to you. I don't know why they did.

12 I just also wanted to let you know, Tracy also  
13 mentioned something about a no contact. I have no clue  
14 about that. That also got -- never got brought up today.  
15 I don't believe that should be a thing as well if they  
16 try to pursue that as well.

17 THE COURT: Okay. Is that it, ma'am?

18 VICTIM 1: Yes.

19 THE COURT: Okay. Thank you.

20 VICTIM 1: Thank you.

21 THE COURT: All right. So, Ms. -- anything else?  
22 Any other victim statements, Ms. Ellsworth?

23 MS. ELLSWORTH: No. Those are the only two  
24 victims, Your Honor.

25 THE COURT: All right. I believe the government

1 has the burden, so you may be heard, Ms. Ellsworth.

2 MS. ELLSWORTH: Thank you, Your Honor.

3 There are two victims for the Court to consider in  
4 this matter. Both Victim 1 and Victim 2, as Your Honor  
5 acknowledges, have the right to be heard. And just  
6 because their perceptions at this point diverge, does not  
7 mean that the Court should not consider both of them  
8 somewhat equally.

9 Victim 1 has had a longer-term relationship with  
10 Mr. Jallo-Jamboria and, perhaps, sees things differently  
11 than Victim 2, who, as he told the Court, the first time  
12 he'd ever seen Mr. Jallo-Jamboria was that night on JBLM  
13 when Mr. Jallo-Jamboria was purportedly kicking Victim  
14 1's car.

15 So again, we have something completely out of the  
16 blue, unprovoked, that causes Mr. Jallo-Jamboria to not  
17 only track Victim 1 but track her to the installation,  
18 begin to effect property damage, and then things began to  
19 spiral out of control from that first incident through to  
20 the second incident where he again has made his way onto  
21 JBLM back to the area where Victim 1 and Victim 2 are and  
22 then proceeds to engage in this sort of high-speed chase  
23 down the streets of JBLM.

24 So it's serious conduct. It's dangerous to the  
25 entire JBLM community to have someone with a firearm

1 that's not registered with the military police or the  
2 other authorities and to have that loaded firearm on the  
3 installation with a round chambered in it, and then also  
4 to be driving at a high rate of speed on the  
5 installation.

6 There are certainly proposed conditions included in  
7 the Pretrial Services report. And I don't disagree with  
8 the conditions per se. I do think there are some mental  
9 health issues at play. It's a little distressing that  
10 counsel asked that questions about Mr. Jallo-Jamboria's  
11 mental health not be asked because that leaves the Court  
12 with an absence of information, although the condition  
13 proposed would require him to obtain an evaluation and  
14 follow any treatment requirements.

15 Probation is also recommending GPS monitoring. I  
16 would suggest that if the Court were to impose some sort  
17 of location monitoring condition that it actually place  
18 Mr. Jallo-Jamboria on the highest degree of monitoring,  
19 essentially home detention, because then he would only be  
20 allowed to travel to places that are known and already  
21 approved by Pretrial Services.

22 And so to the extent there is any ability to  
23 control where he's going and what he's doing while he's  
24 under the supervision of the Court, that would seem the  
25 better way to do it because otherwise if

QUESTIONS FROM THE COURT

1 Mr. Jallo-Jamboria decides to act again out of the blue  
2 apropos of nothing, as far as we know, it could be too  
3 late by the time Pretrial Services catches up to him.

4 And that's really the underlying concern here and  
5 what is supporting the government's recommendation for  
6 detention is that, again, whatever is going on here with  
7 Mr. Jallo-Jamboria, it's unknown. It's unknown to what  
8 degree mental health is playing into this. It's unknown  
9 to why this happened, other than it did, and that's  
10 frightening.

11 And the thought that -- again, that someone is  
12 tracking you, following you, and then allegedly accosting  
13 and brandishing a loaded firearm at someone, does pose a  
14 serious risk of danger to the community and is a serious  
15 concern for this Court that -- again, there might be  
16 conditions, but by the time the Court or Pretrial  
17 Services is alerted to Mr. Jallo-Jamboria acting again,  
18 it might be too late to stop him.

19 THE COURT: I have a couple of followup questions,  
20 Ms. Ellsworth.

21 So, first, is the government arguing that the  
22 Defendant is a flight risk or only a danger to the  
23 community?

24 MS. ELLSWORTH: I don't have any reason to think  
25 that he's a flight risk. As Ms. Fish points out, he has

QUESTIONS FROM THE COURT

1 no criminal history. He's lived in Washington for quite  
2 a number of years. He does have the family member in the  
3 community. He, apparently, has been going to school in  
4 the community. He's certainly lived in the community for  
5 some period of time. So I don't have any reason to think  
6 that he would not appear for future court appearances.

7 THE COURT: And then if you could give the Court a  
8 better idea about the nature and seriousness of the  
9 offense? Can the government proffer a guideline's  
10 calculation for the Court?

11 MS. ELLSWORTH: I don't know what the guideline  
12 calculation would be, Your Honor, but I can tell you that  
13 it would be punishable up to ten years in prison. So it  
14 is a very serious offense. And the reason it's  
15 punishable by up to ten years in prison is because of the  
16 firearm.

17 The stalking by itself is not always punishable to  
18 that degree, but the aggravating factor of  
19 Mr. Jallo-Jamboria having that gun, displaying that gun  
20 on at least one occasion, is what allows the government  
21 to seek up to ten years in prison for this offense.

22 THE COURT: So is it your contention that relative  
23 to the federal offenses that are prosecuted in the  
24 District Court in the Western District of Washington that  
25 this Defendant is subject to lengthy confinement as a

1 result of this or --

2 MS. ELLSWORTH: He -- he is.

3 THE COURT: -- relevant conduct, correct?

4 MS. ELLSWORTH: He is, Your Honor. And again, the  
5 difference would be that if someone were simply stalking  
6 someone online, for example, the penalty would not  
7 necessarily be as severe. It would also -- you know, an  
8 online stalker, while still frightening and certainly  
9 intimidating, is a much less visceral thing than someone  
10 who has followed you to a location and is now  
11 colloquially "in your face" threatening you with harm.

12 THE COURT: All right. Thank you, Ms. Ellsworth.

13 Officer Keomalu, anything to add to Pretrial  
14 Services' recommendation?

15 OFFICER KEOMALU: No, Your Honor. Our  
16 recommendation remains the same, Your Honor.

17 THE COURT: Okay. Thank you.

18 Ms. Fish, you may be heard.

19 MS. FISH: Thank you, Your Honor.

20 Your Honor, I believe the Court can and should  
21 release Mr. Jallo today. I believe the conditions  
22 recommended by Pretrial Services are appropriate. And,  
23 you know, I'll address first Ms. Ellsworth's concern  
24 about Mr. Jallo not answering detailed questions about  
25 his mental health.

1 He's 26 years old. I met him by phone last week.  
2 I was only able to meet him in person this week. It took  
3 a lot of courage for him to be able to open up to me  
4 about what he's been dealing with. And he only got to  
5 meet Ms. Keomalu today while he was dealing with quite a  
6 lot of trauma from being in jail for the first time in  
7 his life over the --

8 THE COURT: Well --

9 MS. FISH: -- weekend.

10 THE COURT: -- Ms. Fish, let me just address that  
11 concern. The Court won't be relying upon the observation  
12 that the Defendant was instructed or may have refused to  
13 provide further information to Pretrial Services. That  
14 being said, there are still some unanswered questions  
15 before the Court, but the fact that the Defendant didn't  
16 want to address them with Pretrial Services is not a fact  
17 that I intend to rely upon.

18 MS. FISH: Thank you, Your Honor. But as the Court  
19 can also tell from the report, he does not dispute that  
20 he could use mental health support and is very happy to  
21 follow that condition and to be open with a provider who  
22 could be in the best position, I think, to make  
23 recommendations for him and for his treatment going  
24 forward. So he is very happy to do that on bond and I  
25 think that would be an appropriate condition here.

1 Overall, you know, the -- as the government  
2 indicated, it's moving solely based on a claim that he  
3 presents a danger to the community, but I think the  
4 conditions here do more than enough to reassure the Court  
5 that that will not happen.

6 As the Court heard from the young lady here in the  
7 gallery today -- I won't say her name to respect her  
8 privacy -- but she did not express fear for her safety.  
9 She expressed that some of the evidence the government  
10 relied upon actually belonged to her and not to  
11 Mr. Jallo. And I think she is, as someone who has known  
12 him for several years, in a better position than probably  
13 most of us in this courtroom to understand that dynamic  
14 and that relationship.

15 As the Court can tell from Mr. Jallo's history from  
16 the Pretrial Services report, he has no -- he's never  
17 been in trouble before. He has accomplished very hard  
18 things. He was honorably discharged from the Army after  
19 serving several years. This included him going through a  
20 car accident that caused him an injury that he still  
21 deals with today.

22 He lost his father very suddenly and tragically in  
23 2021. And, you know, I've spoken with him. While I  
24 think he did seek some support, he didn't really receive  
25 meaningful support following that and I think he's very

1 open to that and would like to get that support going  
2 forward.

3 He has supportive family, who is here in court. I  
4 also have spoken with his mother, who is very supportive  
5 and wants to do anything she can to support him. He's  
6 got a good place to release to with his aunt and uncle.  
7 He previously was living with his girlfriend. Obviously,  
8 we're not suggesting that at this time.

9 But, you know, as to the government's primary  
10 concern, which is the allegation and the seizure of a gun  
11 in relation to the arrest here, one of the, you know,  
12 first conditions and probably the first thing I talked  
13 with Mr. Jallo about is the fact that he will not be  
14 allowed to possess a gun, weapon, ammunition of any kind  
15 while on bond. He understands that. His uncle  
16 understands that. And I think that really addresses the  
17 Court's -- or the government's primary argument regarding  
18 risk of danger.

19 I -- you know, while, obviously, I would prefer a  
20 home detention release to a detention order, I think that  
21 the Pretrial Services recommendation of standalone  
22 location monitoring is sufficient here. You know,  
23 Mr. Jallo certainly can comply with any order the Court  
24 imposes, but that would certainly give the Court and  
25 Pretrial Services assurance of where he's spending his

1 time. You know, really I believe he's focused on school.  
2 He'll play video games at home. He'll spend time with  
3 his family. He'll go to treatment and he'll work with  
4 me. That's what he'll be doing while released on this  
5 case.

6 So I think that the Court can have every confidence  
7 that with the record before it that he is going to comply  
8 with this Court's orders. You know, and I would share --  
9 although, obviously, he's being introduced to the Court  
10 today, the Court does have the Pretrial Services report,  
11 which includes the fact that he served in the military  
12 where he did not have issues. It includes the fact that  
13 he has not had any other involvement with law enforcement  
14 in his life. It includes the fact that he is enrolled in  
15 school and pursuing a positive career. So it does  
16 include, you know, facts that other meaningful  
17 institutions in our community have recognized that  
18 Mr. Jallo is and can be a very responsible member of the  
19 community. And I would ask the Court to consider those  
20 facts as well.

21 Finally, as to the guidelines, when I -- you know,  
22 I think that there is -- it seems even just from the  
23 differences in the statements we heard today in court  
24 versus those that are recited in the complaint, which I  
25 recognize are secondhand so there's some room for error

1 there, I don't think it's particularly clear the extent  
2 to which a gun was involved in this situation or not.

3 As the government recognized that is the primary  
4 enhancement, that even when I look at the guideline here,  
5 which is I believe Section 2A6.2, that would be a  
6 two-level enhancement. It's a base offense level 18. He  
7 has no criminal history.

8 In my experience, someone in that guideline range,  
9 I've gotten probation for clients with much higher  
10 guidelines for that. So I don't think that he has any,  
11 you know, reason to -- certainly to flee on that account  
12 or to otherwise act irrationally on that account.

13 To the contrary, I think the conditions recommended  
14 by Pretrial Services are appropriate here and will more  
15 than reasonably assure the Court that he will not present  
16 a danger to himself or others.

17 And I'm happy to answer any questions the Court  
18 has.

19 THE COURT: I don't have any. Thank you, Ms. Fish.

20 All right, sir, before I make a decision whether to  
21 detain or release you today, you have a right to address  
22 the Court but you're not required to say anything.

23 What's your choice, sir?

24 MS. FISH: Your Honor, I think Mr. Jallo is a  
25 little too emotional right now to speak, but I know he

1 appreciates the Court allowing him the opportunity, so...

2 THE COURT: Does he need some time to collect  
3 himself before he exercises his right to address the  
4 Court or would he rather not address the Court?

5 MS. FISH: Your Honor, if we could have just a  
6 minute for him to collect himself?

7 THE COURT: Would you like the Court to take a  
8 recess or should we just recess in place?

9 MS. FISH: If the Court could take a short recess,  
10 we would appreciate it.

11 THE COURT: Sure. When the Defendant is prepared  
12 to proceed, if you could just notify Ms. Miller?

13 MS. FISH: Will do. Thank you, Your Honor.

14 THE COURT: The court is in recess.

15 THE COURTROOM DEPUTY: All rise. Court is in  
16 recess.

17 (Recess)

18 THE COURT: -- be seated.

19 THE COURTROOM DEPUTY: We are recalling the matter  
20 of United States of America v. Jallo-Jamboria, MJ case  
21 number -- or Case No. mj25-5447.

22 THE COURT: All right, sir, as I previously  
23 mentioned, you have a right to address the Court before I  
24 make a decision but you're not required to say anything.

25 What is your choice, sir?

1 MR. JALLO-JAMBORIA: I would like to speak, Your  
2 Honor.

3 THE COURT: Go ahead, sir.

4 MR. JALLO-JAMBORIA: I just wanted to apologize --  
5 I -- I'm sincere -- to the community, but I really just  
6 wanted to reiterate to you and to the community and to  
7 everyone else that's part of it, is this process for me  
8 is to show why I'm not what it looks like. I'm -- I'm  
9 here to show you the best I could do. I'm not looking to  
10 mess anything up. I'm not looking to right a different  
11 wrong. I'm just looking to try my best. Thank you, Your  
12 Honor.

13 THE COURT: Is that it, sir?

14 MR. JALLO-JAMBORIA: Yes, Your Honor.

15 THE COURT: All right.

16 All right. I do adopt all of the facts contained  
17 in the documents that I previously identified. For  
18 purposes of this decision on the issue of any potential  
19 inconsistencies between the statement of Victim 2 and the  
20 sworn affidavit, I rely upon the sworn affidavit at this  
21 time supporting the criminal complaint.

22 So, sir, the United States Constitution gives you  
23 many trial rights. And one of them you may be very  
24 familiar with, which is the presumption of innocence. So  
25 at trial you stand innocent of the charge that you have

1 been charged with here, the stalking charge at 18 U.S.C.  
2 2261, until and if the government can prove your guilt  
3 beyond a reasonable doubt to a jury of your peers.

4 However, solely for making the decision whether or  
5 not to release or detain you today, I have to rely upon a  
6 statute that's called the Bail Reform Act. And under  
7 that statute, I have to answer three critical questions.

8 First, whether or not you're a flight risk.

9 Second, whether or not you pose a danger to the  
10 risk of the community or the safety of others.

11 And then, finally, if either one of those are the  
12 case, then I need to decide whether or not there's a  
13 condition or a combination of conditions that would  
14 mitigate those risks.

15 And so to answer these questions, I must consider  
16 several factors required by law under the Bail Reform  
17 Act. And one of those factors includes the seriousness  
18 and circumstances surrounding the charged offense here,  
19 much of the information contained in that criminal  
20 complaint, that charging document.

21 And so when I consider the nature and circumstances  
22 of this charge, I don't make a finding as to whether or  
23 not you've actually committed this offense because,  
24 again, you retain the presumption of innocence at trial.  
25 However, today I do have to consider the charged offense

1 and the circumstances surrounding the offense just solely  
2 for this detention or release decision as established by  
3 probable cause and solely on the issue of flight risk or  
4 danger to the community.

5 I must also consider some additional factors that  
6 include the weight of the evidence as to that charge,  
7 although that is the least important factor. And then I  
8 also need to consider your history and characteristics,  
9 much of which were addressed today.

10 And so ultimately in answering these three  
11 questions and specifically in considering the nature and  
12 circumstances of the offense, whatever decision I make  
13 today it is not designed to punish you. It's just  
14 designed to make that detention or release decision. And  
15 in making this decision, the Bail Reform Act has  
16 recognized that release should be the normal course and  
17 detention prior to trial or without trial is the  
18 carefully limited exception.

19 This is not a presumption case and that means that  
20 the government must establish that you're a flight risk  
21 either by a preponderance of the evidence or that you're  
22 a danger to the community by a clear and convincing  
23 evidentiary standard.

24 In making that assessment, I need to rely upon what  
25 are called factors under the Bail Reform Act, those

1 factors I have just described to you: nature and  
2 circumstance of the events, weight of the evidence, and  
3 history and characteristics.

4 And in making this decision, sir, I do want to  
5 indicate to you that there are, in fact, factors that  
6 support your release today, many of which Ms. Fish  
7 persuasively argued today. I don't have any reason to  
8 doubt that you will make your court appearances. You do  
9 not appear to have a history of criminal convictions or  
10 criminal record. You do appear to have ample community  
11 ties. You have a stable residence. And as I understand  
12 it, you have been going to school and so it's the rough  
13 equivalent of stable employment.

14 On the other side of the coin, there are factors  
15 that weigh in favor of detention. Those include the  
16 weight of the evidence, although that's the least  
17 important factor. I also need to consider whether or not  
18 you are or have been using drugs or perhaps whether or  
19 not you are suffering from a mental health crisis that  
20 may have, in fact, fueled parts of the alleged misconduct  
21 and the nature and the circumstances of the events.

22 While those ordinarily may be factors for or  
23 against detention, what makes this difficult is that I  
24 don't really have any information about those actions,  
25 other than what I will say in a moment, which leads me to

1 the most important critical aspect of this analysis,  
2 which is the nature and the circumstances of this  
3 offense, which allegedly involves a firearm.

4 And here to the extent that I must consider these,  
5 I don't have any real explanation as to why those events  
6 may have occurred on or about December 8, 2025. I don't  
7 have any information about the nature of the  
8 relationships or if there were any relationships. I  
9 don't have any information about whether or not you may  
10 or may not have been suffering from an acute mental  
11 health crisis on December 8th, 2025. I don't have any  
12 information as to whether or not you may or may not have  
13 been under the influence of drugs or alcohol. I don't  
14 know. So to this Court, the nature and circumstances of  
15 the offense are deeply concerning because I have no idea  
16 why they may have occurred. And these allegations are  
17 serious.

18 Now there is an open question as to the length of  
19 your potential confinement should you be convicted of  
20 this, but it doesn't change the fact that these are very  
21 serious allegations.

22 As you heard from Victim 2, they were serious to  
23 Victim 2. Victim 1, while Victim 1 acknowledges the  
24 behavior, Victim 1 doesn't view it as seriously. I think  
25 we can assume that the community of Joint Base

1 Lewis-McChord, had they known that there may have been an  
2 individual allegedly driving at erratic speeds and in  
3 possession of a firearm with a chambered round, I suspect  
4 the JBLM community would have been deeply concerned.

5 So ultimately here are my conclusions, sir:

6 I do not believe the government has met its burden  
7 that you are a flight risk.

8 I do find, although it is a close call, that the  
9 government has established by clear and convincing  
10 evidence that you are danger to the community.

11 And so that leaves us with the final question, sir,  
12 is whether or not there are conditions or a combination  
13 of conditions that would address the Court's concern that  
14 you're a danger to the community?

15 And Ms. Fish makes all the right arguments and  
16 perhaps with even very strenuous conditions that danger  
17 could be mitigated, but I'm left with one fundamental,  
18 deeply troubling question. I don't know why the alleged  
19 events may have happened on December 8, 2025. And  
20 because of that, I don't know what may have changed  
21 between December 8, 2025, and December 16, 2025.

22 And because I don't have that information, I'm  
23 confronted with the reality that there's not a single  
24 condition I can impose that would prevent you, if you  
25 were determined to do so, to access a firearm, to access

1 JBLM, and to access either the two victims in this case  
2 or other individuals at JBLM. There are conditions that  
3 would tell me that you were doing so, but they couldn't  
4 prevent you in real time from actually engaging in that  
5 behavior.

6 And so because of the alleged seriousness of that  
7 misconduct and because I don't really have any other  
8 answers as to why it may have occurred, I can't have  
9 sufficient confidence that I can impose any conditions or  
10 combination of conditions that would prevent something  
11 like this from happening in the near term. And so  
12 because of that, sir, you're going to be detained.

13 Yes, Ms. Fish?

14 MS. FISH: Your Honor, I do have some objections to  
15 the Court's ruling. Primarily, the Court, I believe, has  
16 shifted the burden. This is a presumption of release  
17 case. The Court rested its ruling on an absence of  
18 information. That absence has to be held against the  
19 government and so should weigh in favor of release.

20 Additionally, the kind of concern that the Court  
21 would like to know a motive for a crime to which  
22 Mr. Jallo has pled not guilty is asking him to trade his  
23 Fifth Amendment right to silence for his Fifth Amendment  
24 right to freedom and that is not a fair position to put  
25 anyone in. So I would ask the Court to reconsider in

1 light of his constitutional rights and understanding  
2 that and to apply the burdens of the Bail Reform Act  
3 correctly.

4 In addition, I would note the Court could impose a  
5 condition the Court had imposed in a previous case I was  
6 involved with and I would be happy to work with Mr. Jallo  
7 and his uncle to achieve this, which would be that he go  
8 directly from release to Wellfound to do an intake for  
9 potential residential treatment. I don't know that  
10 that's necessary in this case, but it's certainly  
11 something he would be happy to do. And it would offer  
12 the Court greater assurances than a more generalized  
13 mental health condition.

14 I've spoken extensively with the staff at Wellfound  
15 in preparation in other cases and they are open 24 hours.  
16 They have evaluators available. It is just up the hill,  
17 Your Honor. We could drive up there and he could do an  
18 intake today.

19 So I do think there are conditions. I don't think  
20 that there's -- you know, if every case was held to the  
21 standard of "you must explain to me why this happened,"  
22 while we pled not guilty, no one would ever be released.

23 And here, I -- you know, I think there are very  
24 significant differences to the -- to Mr. Jallo's life at  
25 the time of arrest versus our release plan. We are

1 proposing he release to live with his uncle, who is a  
2 responsible adult in the community, who has been vetted  
3 by Pretrial Services. There would be no weapons in that  
4 home nor would he have access to any. There's a location  
5 monitoring condition. There's a mental health treatment  
6 condition. He was not in mental health treatment before.

7 So I would ask the Court to reconsider its ruling  
8 in light of additional available conditions and his  
9 constitutional rights and the presumptions of the Bail  
10 Reform Act.

11 THE COURT: Thank you, Ms. Fish. I'm happy to  
12 clarify my ruling.

13 The danger to the community determination is based  
14 primar- -- exclusively upon the information contained  
15 within the criminal complaint and the other uncontested  
16 information before the Court.

17 I also want to clarify that, while I explained my  
18 opinion to your client today, I didn't mean to imply by  
19 speaking to your client that he owed this Court an  
20 explanation at all. Your client has no obligation to  
21 present any evidence whatsoever.

22 But objectively speaking, I have to apply the  
23 factors under 3142(g). And in considering the nature and  
24 the circumstances of the offense, these are deeply  
25 alarming allegations. I have no idea why they happened

1 and I have no idea what has changed between the day they  
2 happened and the day that occurred today. Defense has no  
3 obligation to address that. Candidly, the government  
4 hasn't addressed it either, either in -- they haven't  
5 presented any aggravating information.

6 So when I make a decision about conditions or  
7 combination of conditions, I simply -- based upon the  
8 unverified information about the relationships between  
9 the individuals involved allegedly in this case as well  
10 as any issues the Defendant may or may not have been  
11 suffering, presumably because there is some chance that  
12 someone may have been suffering from a mental health  
13 episode and/or under the influence to allegedly engage in  
14 these actions, but I leave open the possibility that  
15 these allegations were the result of sober, rational  
16 decisions, if they occurred. I simply don't know, but I  
17 also don't know -- there isn't anything to convince this  
18 Court that if I impose conditions that whatever gave rise  
19 to what allegedly occurred on December 8th aren't still  
20 present such that lives will be in danger.

21 MS. FISH: I understand the Court's concern, but I  
22 still believe -- you know, the government booked my  
23 client into jail. The government did -- he underwent a  
24 screening when he was booked into jail. If he had been  
25 under the influence, that certainly could have been

1 presented to the Court. It was not. I don't think that  
2 that is a factor here.

3 As to the mental health concern, he's very happy to  
4 seek treatment. He's made that clear to the Court. That  
5 is the concern raised by the prosecutor and by Victim 1.  
6 It is not -- I don't think it's a mystery. I don't --  
7 but I don't think that it is fair to put it on Mr. Jallo  
8 to present information that -- and I understand the Court  
9 is not asking him to speak right now, but the effect of  
10 the order is to do that.

11 THE COURT: So, Ms. Fish, you allude to mental  
12 health treatment. I can't even presume that you are  
13 referring to a mental health dynamic that in any way  
14 relates to the alleged misconduct. You may be advocating  
15 for mental health treatment to which he's entitled. It  
16 may be service-connected. It may be entirely unrelated  
17 to the alleged misconduct. I don't know.

18 I'm not in any way assuming or inferring that even  
19 the mental health treatment you're alluding to is a  
20 comment on a potential mental issue. What I'm suggesting  
21 is, these actions -- these alleged -- this alleged  
22 incident is so alarming that I would be even more  
23 concerned if they were the result of rational action.

24 MS. FISH: I guess then is the Court's ruling that  
25 the complaint alone would have led to the detention

1 order, no matter what Mr. Jallo presented?

2 THE COURT: Yes.

3 MS. FISH: Understood.

4 THE COURT: This Court's ruling -- as a part of the  
5 Bail Reform Act process, the Court is provided with the  
6 information from a number of sources. Traditionally,  
7 that information comes from the government and Probation  
8 and the Defense has no obligation to provide any  
9 information.

10 Today, the Defense has proffered some information.  
11 But to the extent that I have commented on the lack of  
12 information, it is in no way an indication that the  
13 Defense has any obligation to produce information. I am  
14 simply stated -- stating that based upon the information  
15 provided to the Court, even from the traditional sources,  
16 I have no explanation as to why this alleged misconduct  
17 may have occurred.

18 And this Court does fear that if I release the  
19 Defendant, even with conditions, lives will be at stake.  
20 And so based upon that concern, I am making the decision  
21 to detain the Defendant.

22 Is there anything else to take up in this case at  
23 this time? Ms. Ellsworth?

24 MS. ELLSWORTH: No, Your Honor. Thank you.

25 THE COURT: Ms. Fish?

1 MS. FISH: No, Your Honor.

2 THE COURT: All right, sir, and so consistent with  
3 the Court's ruling, you are remanded to the custody of  
4 the United States Marshal.

5 The Court is prepared to simply call the next case.  
6 But if Counsel would prefer a recess, I can take a recess  
7 as well.

8 MS. FISH: If I could have a couple minutes to  
9 speak with Mr. Jallo, I would appreciate it.

10 THE COURT: Would you like the Court to take a  
11 recess to do so?

12 MS. FISH: Yes, please, Your Honor.

13 THE COURT: Okay. The court is in recess.

14 THE COURTROOM DEPUTY: All rise. Court is in a  
15 recess.

16 (Conclusion of hearing)

17

18 /Kore Siegel, CET/May 1, 2025

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