

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,  
Plaintiff

**DEFENDANT'S MOTION FOR  
MODIFICATION OF BAIL**

vs.

**CASE NO. 19-CR-151**

ALEJANDRO LOPEZ,  
Defendant

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Alejandro Lopez, by counsel, hereby respectfully requests a review of the Court's decision to detain the Defendant and deny her bond.

AS GROUNDS, THE DEFENDANT ASSERTS:

1. On 25 Sep 2019 the court ordered that Lopez be detained on presumption.
2. This is Nash's first motion to modify bail since that date.
3. The State case was dismissed (see attachment)
4. A magistrate judge may detain the defendant only if there is no set of release conditions under 18 U.S.C. § 3142(b) that will reasonably secure the safety of the community or that will reasonably assure the defendant's appearance at trial. Although the charges that Nash faces create a presumption of detention, the presumption may be rebutted by "[a]ny evidence favorable to a defendant" that bears on any one of the factors in § 3142(g)."
5. The Defendant is a longtime resident of Northeastern Wisconsin (> 20 years).
6. The Defendant has a limited criminal background with his most recent conviction occurring in 2004 for misdemeanor Battery.
7. The original bond study filed 18 Sep 2019 provides "There may be conditions of release should he have a viable home plan and the social information is verified."
8. His extended family is also in the Brown County area.
9. Defendant has remained in close contact with his counsel.
10. If Lopez is released on bond, he has identified the following places he could reside:

Evelia Castro (Aunt)  
926 N. Irwin Avenue  
Green Bay, WI 54302  
(920) 264-5079 (Spanish speaking only)

Reyes Castro  
917 12<sup>th</sup> Avenue  
Green Bay, WI 54304  
(920) 264-4205

11. When Lopez was arrested for these charges, he was employed at Griffin Industries. Thus, Lopez has demonstrated an employment history, which makes it likely that, if released, he could become employed again. (see attachment)
12. There are other non-monetary conditions of release that can help assure the Defendant's appearance in Court. The following conditions are sufficient to protect the community:
  - a. Lopez's travel shall be restricted to the Eastern District of Wisconsin;
  - b. Lopez shall not possess any firearms or other dangerous weapons;
  - c. Lopez shall have no contact with codefendants or witnesses in this matter;
  - d. Lopez shall remain at home during prescribed times in accordance with one of three program components (curfew, home detention and home incarceration) and electronic monitoring.
  - e. Lopez shall participate in a program of testing and treatment for drug and alcohol abuse as approved by Pretrial Services.
  - f. Lopez shall seek employment, volunteer work, and/or education opportunities;
  - g. Lopez shall not use or possess controlled substances except according to a physician's prescription.
13. The Defendant has been drug-free for nearly two (2) months and is an excellent candidate for treatment now that he is clean.
14. The Defendant has the ability to seek treatment while out of custody.
15. The Defendant is willing to have his location being monitored electronically and willing to be closely supervised.

Wherefore, it is respectfully requested that the court hold a detention hearing to consider evidence supporting this motion and to amend the detention order entered in this matter to allow for Lopez's release upon conditions set by the court.

Dated this 2 Oct 2019

**ANTIPHON LAW OFFICE:**

Electronically signed by Jevon Jaconi

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09-19-2019  
Clerk of Circuit Court  
Brown County, WI  
2019CF000895

**STATE OF WISCONSIN****CIRCUIT COURT  
BRANCH VIII****BROWN COUNTY**

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2019BR003984

Court Case No.: 2019CF000895

vs.

ALEJANDRO LOPEZ

DOB: 06/17/1982

Defendant.

**ORDER***For Official Use*

Upon motion of the State, it is hereby ordered that Brown County Case  
Number 2019CF000895 is dismissed without prejudice.



Jonathan Krouth  
President  
Griffin Industries  
1898 Pride Terrace  
Green Bay, WI 43131

September 11, 2019

Jevon Jaconi  
Jaconi Law  
414 E Walnut Street Street  
Suite 150  
Green Bay, WI 54301

Jevon

I am writing you to confirm the employment of Alejandro Lopez. Alejandro started working at Griffin Industries 12/5/2006 and ended his employment on 6/17/2019. His ending wage was \$20.25/hour. Alejandro started as a general laborer and continued to earn new opportunities throughout his time at Griffin. His dedication to his job gained the respect of the team which enabling him to advance quickly. He was a trusted and capable CNC machinist with experience in both foundry tooling setup and machined casting setup. Alejandro was dependable with great focus and attention to detail. He came to work with a positive attitude and a willingness to do whatever it took to meet our customer requirements. His absence has made a significant impact on our organization.

Sincerely

Jonathan Krouth

1898 Pride Terrace  
Green Bay, WI 54313

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