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Attorney for Defendant Leo Torres

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. LEO TORRES, et al, Defendants.	NO. CR.S-07-248 WBS STIPULATION AND (~~PROPOSED~~) ORDER MODIFYING CONDITIONS OF RELEASE

It is hereby stipulated between the United States of America through its undersigned counsel, Jason Hitt, Assistant U.S. Attorney, and the defendant, Leo Torres, through his counsel, Robert J. Peters, that the appearance bond filed July 19, 2007, in the amount of $50,000.00, secured by the defendant's real property at 2333 Olive St., Dos Palos, CA 93620, be removed from his bail package and exonerated. The parties mutually request the Court issue an order directing the clerk of the court to reconvey all right, title, and interest in the above property only that was posted as part of the security for the defendant's

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release. All other security posted for, and conditions of defendant Leo Torres's release, shall remain in full force and effect until further order of the Court.

The reasons for this requested modification are as follows:

1) Defendant has fulfilled all conditions of his pre-trial release and Pretrial Services has no objection to the requested modification;

2) On October 14, 2008, defendant entered a guilty plea to a superseding information alleging a violation of 21 U.S.C. § 843(b), use of a telephone to facilitate a drug conspiracy. Sentencing is set for January 5, 2009, and defendant expects to receive a sentence not exceeding four years in prison;

3) Defendant has three minor children living with him and his wife who is currently pregnant. He is the owner of Torres Landscaping and will have to shut the business down while he is incarcerated;

4) He wishes to provide for his wife and children while he is in prison. To do so, he wants to make all attempts possible to sell the family residence before sentencing;

5) The parties agree the remaining bonds are sufficient security to ensure his continued appearances in court. They are:

a) A $50,000.00 appearance bond filed July 19,

2007, secured by a deed of trust on the property located at 55 Geil St., Salinas, CA 93901, the residence of defendant's sister and brother-in-law, an electrical contractor;

b) An unsecured appearance bond in the amount of $100,000.00, signed by the defendant, his wife, his sister, and his brother-in-law.

The parties agree these bonds will remain in full force and effect until further order of the Court. The government and Pretrial Services agree these bonds are sufficient to insure defendant's continuing appearances in court.

DATED: October 29, 2008

McGregor W. Scott
U.S. Attorney

/s/ Jason Hitt
Jason Hitt
Assistant U.S. Attorney

DATED: October 29, 2008

/s/ Robert J. Peters
Attorney for Defendant

O R D E R

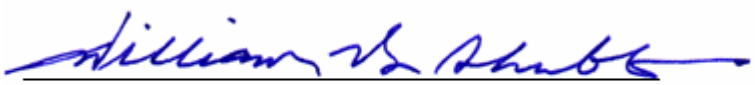
GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:

The above stipulation of the parties is approved. The appearance bond filed July 19, 2007, in the amount of $50,000.00, secured by the defendant's real property at 2333 Olive St., Dos Palos, CA 93620, is exonerated. The Clerk of Eastern District of California is directed to reconvey all right, title, and interest in the above property.

All other appearance bonds and conditions of

defendant's release shall remain in full force and effect until further order of the Court.

DATED: October 30, 2008



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE