

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 08-0730 WHA

Plaintiff,

v.

**ORDER RE DEFENDANT DANILO
VELASQUEZ'S REQUEST FOR
DISCLOSURE OF SOURCE IDENTITY**

DANILO VELASQUEZ, *et al.*

Defendants.

Defendant Danilo Velasquez requests disclosure of the name of a confidential source who reported to the SFPD that a Mac 11 firearm was previously in the possession of Rony Avila (Dkt. Nos. 4676, 4762). On August 17, the Court held an in-chambers, *in camera* hearing to determine whether there was a defense need for the name of the confidential source that outweighed the public interest in protecting the source's identity. *See United States v. Roviario*, 353 U.S. 53, 62 (1957). In addition to asking its own questions, the Court asked almost all of the questions submitted *ex parte* and under seal by defense counsel. The sworn testimony presented at the hearing did not demonstrate that disclosure of the source's name would be warranted under *Roviario*. The request for disclosure is accordingly **DENIED**.

Dated: August 18, 2011


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE