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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

USA,

Plaintiff,

v.

BRIAN WAYNE WENDT,

Defendant.

Case No. [17-cr-00533-EMC-5](#) (JSC)

ORDER OF DETENTION

United States District Court
Northern District of California

Defendant Brian Wayne Wendt is charged by indictment with a racketeering conspiracy arising out of a murder at the Hells Angels clubhouse in Fresno, California. Mr. Wendt is the President of that Club. Mr. Wendt came before the Court on January 23, 2018 for a detention hearing. He was represented by Martin Sabelli, retained counsel. The Pretrial Services Report recommended that Mr. Wendt be detained. Upon consideration of the evidence and arguments presented, and for the reasons stated on the record, the Court finds by clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of other persons and the community. Mr. Wendt has a felony conviction. According to a police report from the Minnesota Department of Public Safety, in February 2017, a vehicle which Mr. Wendt was driving was pulled over by the police in Minnesota. The vehicle was owned by Mr. Wendt's roommate Mr. Meza who was also in the vehicle along with another individual. A search of the vehicle uncovered two rifles equipped with scopes, a duffel bag with a large drum magazine full of rifle ammunition, \$5000 in cash, a device used to detect eavesdropping devices, an infantry tactics manual, a revolver and at least seven handguns, some of them loaded. Further, at his detention hearing his counsel proffered that Mr. Meza had brought all those weapons with him from California to go hunting in Minnesota, but the police report states that Mr. Wendt denied any

1 knowledge of the firearms as did Mr. Meza.

2 In connection with this indictment, Mr. Wendt's home, which he shares with Mr. Meza
3 (also a Hells Angels member) was searched. That search discovered more than 20 firearms (many
4 in a locked cabinet, but some handguns were not), ammunition, brass knuckles, a large collection
5 of knives and over \$36,000 in cash. Mr. Wendt's Hells Angels Clubhouse was also searched. The
6 search uncovered more firearms, ammunition, and knives. The documentary evidence submitted
7 by the government is attached to this Order.

8 Mr. Wendt's proposal to have his parents serve as sureties and custodians is not sufficient
9 given that they do not have any assets to post and given the above evidence. Mr. Meza is not a
10 sufficient surety given his involvement with the Fresno Hells Angels Club and his possession of
11 firearms and other dangerous weapons. And while Mr. Wendt had several community members
12 submit letters in his support, and these letters demonstrate that he has been a good friend and
13 father, none of the letters addresses his close association with an arsenal of dangerous weapons.
14 Accordingly, the Court finds by clear and convincing evidence that there is no set of conditions
15 that can be imposed to assure that Mr. Wendt is not a danger.

16 These findings are made without prejudice to the defendant's right to seek review of his
17 detention should new information arise.

18 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

- 19 1. Defendant Wendt be, and hereby is, committed to the custody of the Attorney
20 General for confinement in a corrections facility separate, to the extent practicable, from persons
21 awaiting or serving sentences or being held in custody pending appeal;
- 22 2. Defendant Wendt be afforded reasonable opportunity for private consultation with
23 counsel; and
- 24 3. On order of a court of the United States or on request of an attorney for the
25 government, the person in charge of the corrections facility in which the defendant is confined
26 shall deliver the defendant to an authorized United States marshal for the purpose of any
27 appearance in connection with a court proceeding.

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IT IS SO ORDERED.

Dated: January 24, 2018


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

United States District Court
Northern District of California