

FILED IN CHAMBERS
U.S.D.C. - Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEC 17 2018

By: James M. Hatten, Clerk
AmCarroll Deputy Clerk

UNITED STATES OF AMERICA

CRIMINAL CASE NO.

v.

1:18-CR-00007-01-ODE-JKL

QUINTAVIOUS OBIE

ORDER

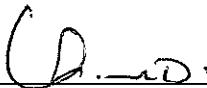
This criminal case is before the Court on Magistrate Judge Justin S. Anand's Order and Report and Recommendation ("R&R") [Doc. 196] as to Defendant Quintavious Obie ("Obie").

On October 30, 2018, the Government filed the Government's Motion for an Evidentiary Hearing Regarding Defendant Obie's Contempt of Court and Request for Modification of Pretrial Detention Conditions [Doc. 159]. On November 27, 2018, Judge Anand held a hearing on the Government's motion. The November 29, 2018, R&R [Doc. 196] that followed granted the Government's request to modify Obie's pretrial detention conditions because "[i]t was undisputed at the hearing" that he had violated his preexisting detention conditions by discussing victims and witnesses in the case during phone calls. As a result, the R&R restricted Obie's telephone privileges to only allow calls to his defense counsel [*Id.* at 2] and ordered segregation and "any other steps reasonably necessary" to implement Obie's new telephone restrictions [*Id.*]. The R&R also recommended that the Government's request for a civil contempt finding be denied. The R&R stated the issue of civil contempt was moot in light of the new conditions of Obie's confinement, which would effectively ensure compliance with the Court's prior orders.

In reviewing an R&R, the Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). Absent objection, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." Id.

No objections to the R&R were filed. The Court having read and considered the R&R and noting the absence of any objections thereto, the R&R [Doc. 196] is ADOPTED IN FULL as the opinion and order of the Court. For the reasons set forth in the R&R, the Government's Motion for an Evidentiary Hearing Regarding Defendant Obie's Contempt of Court and Request for Modification of Pretrial Detention Conditions is GRANTED IN PART and DENIED IN PART.¹

SO ORDERED this 14 day of December, 2018.


ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE

¹ The Government's Motion for an Evidentiary Hearing Regarding Defendant Obie's Contempt of Court and Request for Modification of Pretrial Detention Conditions asks that Obie be found in contempt and that Obie be subject to new, more restrictive conditions of detention. As the R&R reflects, the Government's motion is GRANTED to the extent it requests modification of Obie's detention conditions and DENIED to the extent it requests a finding of contempt.