

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | Criminal No. 98-0057 (PLF) |
| |) | |
| MARIA HSIA, |) | |
| |) | |
| Defendant. |) | |

ORDER

At the conclusion of the sentencing hearing, and after the Court had imposed sentence on February 6, 2001, the defendant made an oral motion for bond pending appeal pursuant to 18 U.S.C. § 3143(b). The government asked for time to formulate its position with respect to defendant's motion, and the Court therefore scheduled a conference call with counsel for today, February 7, 2001. Having considered the matter fully, the government announced that it would not oppose defendant's motion for release pending appeal under the conditions imposed by the Court in its orders of March 19, 1998 and August 12, 1999.

Pursuant to 18 U.S.C. § 3143(b), the Court finds by clear and convincing evidence that under the conditions it has imposed, the defendant is not likely to flee or pose a danger to any other person or the community if released, and that the proposed appeals are not for the purpose of delay and raise substantial questions of law or fact that could affect the validity of the conviction or the sentence. See United States v. Perholtz, 836 F.2d 554, 555-56 (D.C. Cir. 1987). Accordingly, it is hereby

ORDERED that the defendant's unopposed motion for bond pending appeal is GRANTED and that she not begin serving her probationary period or period of home detention until after the resolution of the appeals; it is

FURTHER ORDERED that the defendant is released pending appeal to the third party custody of Mr. Stephen Zhou under the conditions to which Mr. Zhou agreed on March 19, 1998; it is

FURTHER ORDERED that the defendant shall comply with the conditions of release set forth in this Court's March 19, 1998 order, except insofar as they were modified by the Court's August 12, 1999 order, and shall also comply with the conditions of the August 12, 1999 order; and it is

FURTHER ORDERED that paragraph (7) of the Court's March 19, 1998 order is modified to require 48 hours advance notice and to require that the information required by paragraph (7) be provided both to the D.C. Pretrial Services Agency and to counsel for the government in this case.

SO ORDERED.

PAUL L. FRIEDMAN
United States District Judge

DATE: