

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

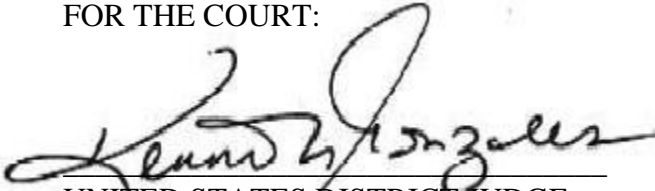
IN THE MATTER OF:
MOTIONS TO REVOKE DETENTION ORDER
PURSUANT TO 18 U.S.C. § 3145 ENTERED
BY A LAS CRUCES MAGISTRATE JUDGE

No. 22-MC-00004-35

ORDER

Absent exceptional circumstances, in the event a defendant files a motion to revoke a detention order pursuant to 18 U.S.C. § 3145, entered by a Las Cruces Magistrate Judge, the District Court will consider only evidence that was before the Magistrate Judge when the detention order was entered. *See generally United States v. Oaks*, 793 F. App'x 744 (10th Cir. 2019). In the event a defendant offers new facts or evidence, the defendant first must file a motion before the Las Cruces Magistrate Judge to reconsider the detention order. *See* 18 U.S.C. § 3142(f) (allowing hearing to be reopened to consider material information not known to the movant at time of hearing); *United States v. Cisneros*, 328 F.3d 610, 613 (10th Cir. 2013) (clarifying procedure under § 3142(f) requiring reconsideration only by judicial officer who made original decision).

FOR THE COURT:


UNITED STATES DISTRICT JUDGE


UNITED STATES DISTRICT JUDGE

Notices

[1:22-mc-00004 Administrative Orders](#)

U.S. District Court

United States District Court - District of New Mexico

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Case Name: Administrative Orders

Case Number: [1:22-mc-00004](#)

Filed: Administrative Orders

Document Number: [35](#)

Docket Text:

STANDING ORDER: In the Matter of Motions To Revoke Detention Orders Pursuant To 18 U.S.C. §3145 Entered By A Las Cruces Magistrate Judge (mre)

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