

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

_____	)	
UNITED STATES OF AMERICA,	)	
	)	
v.	)	
	)	Crim. Action No. 21-0525 (ABJ)
SAMUEL LAZAR,	)	
	)	
Defendant.	)	
_____	)	

**ORDER**

The government made an oral motion to detain the defendant on August 11, 2021. That proceeding was held via telephone, *see* Min. Entry (Aug. 11, 2021) (“The defendant is amenable to proceeding by telephone for the detention hearing due to a video connection problem at the jail.”), and a continued hearing on the motion was set for August 16, 2021. *See id.* Defendant moved to continue the detention hearing, and it was reset for August 31, 2021. *See* Min. Entry (Aug. 16, 2021) (“Continuation of Detention Hearing reset for 8/31/2021”). On August 18, 2021, defendant was indicted. *See* Ind. [Dkt. # 18]. And on August 31, 2021, the Magistrate Judge granted the oral motion for pretrial detention; at that point, the government moved for defendant’s transfer to the District of Columbia. Min. Entry (Aug. 31, 2021) (“Oral Motion by USA to Transfer Defendant to the District of Columbia for Further Proceedings”). Defendant moved to stay where he was, and the Magistrate Judge took that issue under advisement, apparently anticipating an appeal of the detention order. *See id.* (“Oral Motion by Defendant to Remain at His Current Holding Facility Pending an Appeal of the Court's Detention Order.”).

Nothing happened for the next two weeks.

On September 16, 2021, the Magistrate Judge entered the following Minute Order:

On August 11, 2021, the Court entered an Order [] directing that the United States Marshals Service keep Defendant SAMUEL LAZAR in his current detention facility to ensure his appearance during a remote detention hearing before the Court and to avoid the potentially unnecessary transport of Mr. Lazar to the District of Columbia. At the conclusion of Defendants detention hearing on August 31, 2021, the Court ordered Defendant held without bond pending trial and took under advisement Defendants oral motion to remain at his current holding facility pending an appeal of the Courts detention order and counsel for the United States oral motion that Defendant be transferred to the local jurisdiction pending further proceedings. See Min. Entry (Aug. 31, 2021). As of the time of this Order, Defendant has not appealed this Courts order of detention. The circumstances giving rise to the August 11, 2021 Order have changed, due to the conclusion of the pretrial detention hearings pending before Magistrate Judge Meriweather. Accordingly, the Court hereby advises the parties that it will vacate the Order [] staying Defendants transfer to the local jurisdiction, effective September 23, 2021, and hereby DENIES WITHOUT PREJUDICE the Oral Motion By Defendant Samuel Lazar to Remain At His Current Holding Facility Pending an Appeal of the Courts Detention Order and GRANTS the Oral Motion By USA to Transfer Defendant Samuel Lazar to the District of Columbia for Further Proceedings. To afford the defense an opportunity to present a motion seeking a further stay of transport to the presiding district judge, Judge Amy Berman Jackson, before Mr. Lazar is transported, the undersigned will stay the effect of this ruling until September 23, 2021, at which time it will docket an Order vacating the August 11, 2021 Order [] staying Defendants transfer to the local jurisdiction. SO ORDERED.

Since nothing was filed by defendant in the interim, the Magistrate Judge did what she informed defendant she would do; on September 23, 2021, she entered the order directing that the U.S. Marshals Service transport defendant to Washington, D.C., which is the jurisdiction where the charges against him are pending and where the offenses were allegedly committed. *See* Order [Dkt. # 26].

On September 24, 2021, defendant filed a belated motion for reconsideration of the order of pretrial detention and stay of the transfer order. *See* Def.'s Mot. for Reconsideration of Pretrial Deten. and Request to Stay Def.'s Transport to the District of Columbia [Dkt. # 27]. The motion

does not include any explanation for why it was not filed during the time period allotted by the Magistrate Judge. However, the Court, in its discretion, will grant the request for a stay of the transfer under all of the circumstances, and it is hereby **ORDERED** that the execution of the Order to transfer the defendant be stayed pending this Court's consideration of the motion for release from custody. The government's response to the motion must be filed by October 1, 2021, any reply will be due October 6, and the initial status hearing in this case, arraignment, and hearing on the motion will be conducted by videoconference on October 12, 2021 at 10:00 am.

**SO ORDERED.**

A handwritten signature in cursive script that reads "Amy B. Jackson". The signature is written in black ink and is positioned above a horizontal line.

AMY BERMAN JACKSON  
United States District Judge

DATE: September 24, 2021