

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

JAMES TATE GRANT,

*Defendant.*

Criminal Action No. 21-537-2 (TJK)

**ORDER**

For the reasons provided on the record at the revocation hearing held today, January 18, 2022, and based on consideration of the Pretrial Violation Report filed by Pretrial Services, *see* ECF No. 73, the evidence and the record in this case, the arguments of the parties, and the standards set forth in 18 U.S.C. § 3148, the Court finds: (1) probable cause to believe that Defendant has committed a state crime while on release, specifically, driving while impaired under North Carolina law; (2) by clear and convincing evidence, that Defendant violated the conditions of his release, in particular, the condition that he not possess a firearm and the condition that he not use a narcotic or other controlled substance; (3) by a preponderance of the evidence, after consideration of the 18 U.S.C. § 3142(g) factors, that there is no condition or combination of conditions of release that will assure that Defendant will not pose a danger to the safety of any other person or the community; and (4) by a preponderance of the evidence, that Defendant is unlikely to abide by any condition or combination of conditions of release.<sup>1</sup> *See* 18 U.S.C. § 3148(b).

---

<sup>1</sup> As the Court noted on the record, it reaches the same conclusions with respect to the latter two findings required by 18 U.S.C. § 3148(b)(2) when applying a clear-and-convincing-evidence standard.

Thus, it is hereby **ORDERED** that the Government's Motion to Revoke, ECF No. 77, is **GRANTED**, and Defendant is remanded to the custody of the Attorney General or the Attorney General's designated representative pending trial.

**SO ORDERED.**

/s/ Timothy J. Kelly  
TIMOTHY J. KELLY  
United States District Judge

Date: January 18, 2022