

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

UNITED STATES OF AMERICA	:	
	:	Case No. 26-cr-94-2 (JEB)
v.	:	
	:	
AARON LANDRY,	:	UNDER SEAL
	:	
Defendant.	:	

**EMERGENCY MOTION FOR *DE NOVO* REVIEW
OF MAGISTRATE’S RELEASE ORDER AND REQUEST TO
STAY DEFENDANT’S RELEASE PENDING *DE NOVO* REVIEW**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves the Court for de novo review of the release/bond order for Defendant Aaron Landry, issued by United States Magistrate Judge for the Central District of California, Angela C.C. Viramontes, on May 13, 2026 in case 5:26-mj-306, and further requests that the Court stay the Defendant’s release until the conclusion of the de novo review process. Magistrate Judge Viramontes stayed the Defendant’s release until 5:00 p.m. PT (8:00 p.m. ET) on May 14, 2026. The Defendant was a large-scale methamphetamine supplier based in California and is charged with Conspiracy to Distribute and Possess with Intent to Distribute 500 Grams or More of a Mixture and Substance Containing a Detectable Amount of Methamphetamine, 50 Grams or More of Methamphetamine (Actual), and a Mixture and Substance Containing a Detectable Amount of Gamma-Butyrolactone (GBL), in violation of 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(A), and (b)(1)(C) (Count One). The Defendant has sold multipound quantities of methamphetamine during the conspiracy and law enforcement has tied significant seizures of methamphetamine to the Defendant. Communications between the Defendant and others also establish his methamphetamine trafficking within the conspiracy.

The government respectfully requests the Court overturn the Magistrate’s decision and

hold the Defendant pending trial pursuant to 18 U.S.C. § 3142(f)(1)(B) and (C) (for an offense carrying a maximum punishment of life and a serious drug felony) and (f)(2)(A) (risk of flight). By virtue of the offenses alleged in Count One, there is a rebuttable presumption that no conditions or combinations of conditions can effectively ensure the Defendant's appearance in this case and otherwise protect the community, pursuant to 18 U.S.C. § 3142(e)(3)(A).

APPLICABLE LAW

The Defendant is subject to detention pursuant to 18 U.S.C. § 3142(f)(1)(B) and (C) because he is charged with an offense that carries a maximum punishment of life and is also serious drug felony. Pursuant to 18 U.S.C. § 3142(e)(3)(A), there exists a rebuttable presumption that no conditions or combinations of conditions can effectively ensure each defendant's appearance in this case and otherwise protect the community. That is, If a defendant has been indicted for "an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act[,]" the Court must presume, subject to rebuttal, that there is no condition or combination of conditions that will reasonably assure the defendant's appearance as required and the safety of the community. 18 U.S.C. § 3142(e)(3)(A). The indictment, standing alone, constitutes probable cause that the person charged committed the offense and is "enough to raise the rebuttable presumption that no condition would reasonably assure the safety of the community." *United States v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir. 1996); accord *United States v. Williams*, 811 F. Supp. 2d 274, 276 n.2 and 277 (D.D.C. 2011) (Kollar-Kotelly, J.) (citing *Smith* and *United States v. Carter*, 802 F. Supp. 2d 180, 182 (D.D.C. 2011) (Lamberth, C.J.)). Relying on the legislative history of this provision, the United States Court of Appeals for the District of Columbia Circuit has observed that the rebuttable presumption covering serious drug trafficking offenses was included because of the "significant risk of pretrial recidivism" among persons

charged with major drug felonies. *United States v. Alatishe*, 768 F.2d 364, 370 n.13 (D.C. Cir. 1985) (citing S. Rep. No. 225, 98th Cong., 1st Sess. 20 (1983), U.S. Code Cong. & Admin. News 1984, p. 3203)). When the rebuttable presumption of 18 U.S.C. § 3142(e) is triggered, it operates “at a minimum to impose a burden of production on the Defendant to offer some credible evidence contrary to the statutory presumption.” *Id.* at 371.

The government must establish by clear and convincing evidence that a defendant is a danger to the community. *United States v. Peralta*, 849 F.2d 625, 626 (D.C. Cir. 1988). For a detention decision based upon risk of flight, the government only need prove by a preponderance of the evidence that there are no conditions or combinations of conditions that will assure the defendant’s appearance as required. *United States v. Vortis*, 785 F.2d 327, 328-29 (D.C. Cir. 1986). Furthermore, the government may present evidence by way of a proffer at a detention hearing. *Smith*, 79 F.3d at 1209-10.

In considering whether there are conditions of release which will reasonably assure the safety of any other person and the community and the appearance of the defendant as required, the Court should consider and weigh the following factors as to each defendant: (1) the nature and circumstances of the offense charged; (2) the weight of the evidence against the defendant; (3) his or her history and characteristics; and (4) the nature and seriousness of the danger to any person or the community that would be posed by his release. *See* 18 U.S.C. § 3142(g). In consideration of these factors, along with the applicable rebuttable presumption, the United States respectfully submits that the Defendant’s release poses an unmitigable risk to the community’s safety, and that additionally, his release would not assurance their appearance at future proceedings, nor compliance with any conditions of release fashioned by the Court.

SUMMARY OF INVESTIGATION

This case involves a sprawling and prolonged drug distribution conspiracy, spanning multiple states and countries, that involves enormous quantities of multiple controlled substances. The evidence against the defendants—gathered from extensive communications, drug seizures, search warrants, and controlled purchases and deliveries gathered by law enforcement over at least two years—is substantial. All eleven defendants have been deeply involved in the charged conspiracy to distribute kilogram quantities of high-purity methamphetamine throughout the United States, including the District of Columbia, while ten of the eleven have done the same for gamma-butyrolactone (“GBL”). All eleven defendants are very experienced drug traffickers whose vocation was to peddle some of the most dangerous drugs in our city and country.

Based on the charged offenses, the Defendant faces a rebuttable presumption that no conditions or combinations thereof can effectively ensure the defendants’ appearance in this case and otherwise protect the community, pursuant to 18 U.S.C. § 3142(e)(3)(A). The reason for the penalties and rebuttable presumption is clear. Methamphetamine is a highly potent and dangerous drug that can cause severe physical and psychological damage and death, even with short-term use. It is classified as a Schedule II controlled substance due to its extreme potential for addiction and limited medical use. Research from the United States Centers for Disease Control and Prevention (CDC) shows that methamphetamine is the second most commonly found drug in people who fatally overdose, after synthetic (lab-made) opioids. <https://nida.nih.gov/research-topics/methamphetamine>. According to the CDC, overdose deaths involving methamphetamine have surged in the United States, reaching over 95,000 deaths in the United States in the 3.5-year period ending in June 2024. *See* <https://www.cdc.gov/mmwr/volumes/74/wr/mm7432a1.htm>.

FACTUAL AND PROCEDURAL BACKGROUND

As described below, the Defendant is among a group of individuals that have been identified as members of a multi-jurisdictional drug trafficking organization operating throughout the United States. Over the course of this investigation, law enforcement efforts have identified a multi-layered distribution structure, with a variety of controlled dangerous substances originating from large-source suppliers located in several locations around the United States and South Korea and subsequently redistributed through a network of identified co-conspirators operating in New York City, Philadelphia, Baltimore, Miami, Washington, D.C., and elsewhere.

Through a coordinated effort across multiple federal law enforcement agencies, including the Drug Enforcement Administration (“DEA”), Internal Revenue Service Criminal Investigations (“IRS-CI”), the United States Postal Inspection Service (“USPIS”), Customs and Border Protection (“CBP”), and Homeland Security Investigations (“HSI”), it was determined that the conspiracy involved the distribution of large quantities of methamphetamine, much of it from California, and to import GBL into the United States from South Korea and redistribute the substances within the United States, including the District of Columbia, the Mid-Atlantic United States, New York, Illinois, California, Pennsylvania, and Florida.

To date, law enforcement efforts have utilized a variety of investigative techniques, including undercover operations, search warrants, confidential sources, physical surveillance, analysis of records, review of electronic communications, and partnership with local and state law enforcement agencies. As part of this investigation, law enforcement has seized approximately 37 kilograms of high purity methamphetamine, approximately 800 kilograms of GBL, many kilograms of other controlled substances, and hundreds of thousands of dollars in U.S. Currency. This does not include over 1000 kilograms of GBL seized in South Korea in September 2025 as

part of this investigation, which is the largest domestic seizure of a controlled substance ever recorded in South Korea.

On April 23, 2026, a federal Grand Jury sitting in the District of Columbia returned an Indictment charging the above-captioned defendants with numerous felony offenses, as follows:

Count	Defendant(s)	Approx. Date(s) of Offense	Charge
1	Jacobo-Magana, Landry, Kent, Huthsing, Acosta, Gomez-Franco, Taylor, Fitch, Spitzer, Morgan, and Archer	Jan. 2023 - Present	21 U.S.C. 841(a)(1), (b)(1)(A)(viii), (b)(1)(C), and 846
2	Gomez-Franco, Spitzer, Morgan	Jan. 2024-May 2025	18 U.S.C. 1956(h)
3	Kent	June 13, 2024	21 U.S.C. 841(a)(1), (b)(1)(A)(viii)
4	Kent	April 23, 2025	21 U.S.C. 841(a)(1), (b)(1)(A)(viii)
5	Kent	July 9, 2025	21 U.S.C. 841(a)(1), (b)(1)(A)(viii)

All the defendants have been charged with offenses for which they are facing mandatory minimum sentences of incarceration of 10 years and up to life.

On April 29, 2026, a coordinated search and arrest operation was conducted in connection with this indictment. Approximately thirteen residences were searched across eight judicial districts in the eastern United States. The chart below illustrates additional recoveries made by law enforcement beyond the above-detailed seizures made over the course of the conspiracy:

ADDRESS and/or VEHICLE	ASSOCIATIONS and/or DEFENDANTS PRESENT	EVIDENCE SEIZED ¹
Northwest Washington, D.C.	Huthsing	<ul style="list-style-type: none"> • 109.5 grams of methamphetamine • 2.69 kilograms of GBL

¹ Unless otherwise noted, all weights for narcotics in this chart include packaging. Additionally, unless otherwise noted, when a particular substance is identified as a specific narcotic, this reflects the results of field testing and all results are considered preliminary pending final testing from the DEA Mid-Atlantic Laboratory.

		<ul style="list-style-type: none"> • 191.9 grams of ketamine • Drug paraphernalia, including packaging materials and scales • Approximately \$250,000 in redeemable MGM National Harbor bet slips
Northwest Washington, D.C.	Acosta	<ul style="list-style-type: none"> • Approximately 280 grams of methamphetamine (total) • Methamphetamine packaged into various baggies, including varying-sized Ziploc bags.
Northeast Washington, D.C.	Taylor	<ul style="list-style-type: none"> • Multiple Ziploc bags containing methamphetamine residue
Shortpump, VA	Taylor	<ul style="list-style-type: none"> • 1/4 kilogram of methamphetamine • 1/2 ounce of fentanyl powder
New York, NY	Spitzer	<ul style="list-style-type: none"> • 608.6 grams of methamphetamine • 2.6 kilograms of GBL • 947.4 grams of pills (pending laboratory testing) • 248.4 grams of powder (pending laboratory testing) • 511.1 grams of Psilocybin mushrooms • Various scales and packaging material
New York, NY	Morgan	<ul style="list-style-type: none"> • 2.6 kilograms of methamphetamine • 11.2 kilograms of GBL • 271.2 grams of pills (pending laboratory testing) • 670.1 grams of powder (pending laboratory testing) • Various scales and packaging material
Baltimore, MD	Gomez-Franco	<ul style="list-style-type: none"> • 1 black metal safe • Approximately 2,000 USD • 1 green and tan notebook • 1 black and white notebook • 1 black bottle labeled '3-D

		Printing UV sensitive resin' (felt empty)
Philadelphia, PA	UCC-1	<ul style="list-style-type: none"> • 3.65 kilograms of methamphetamine • 2.6 kilograms of GBL • 164 grams of heroin • 242 grams of powder (pending laboratory testing) • 2 firearms
New York, NY	UCC-2	<ul style="list-style-type: none"> • 56.6 kilograms of ketamine (powder, crystalline and liquid form) • Approximately \$100,000 in U.S. currency
Washington, DC	UCC-3	<ul style="list-style-type: none"> • 86 grams of methamphetamine • 370.6 grams of GBL
Alexandria, VA	UCC-4	<ul style="list-style-type: none"> • 132 grams of methamphetamine • 40 grams of amphetamine pills • 226 grams of cocaine
Miami, FL	UCC-5	<ul style="list-style-type: none"> • 1.5 gallons of GBL • 1.5 kilograms of brown powder (pending laboratory testing)

On May 7, 2026, Defendants Jacobo-Magana and Landry were arrested in California, and their residences were searched. Landry possessed additional liters of GBL and smaller amounts of suspected methamphetamine, along with a large scale, a money counter and other drug trafficking paraphernalia.

THE CONSPIRACY

This large-scale, multi-state and international drug trafficking conspiracy ran from at least January 2023 through at least April 2026, and was responsible for the distribution of kilogram quantities of high-purity methamphetamine and GBL throughout the United States, including the District of Columbia. The conspiracy operated with a division of labor: upstream suppliers sourced

narcotics; regional distributors received, stored, and repackaged those narcotics, and downstream distributors sold them to customers while collecting and concealing proceeds. Upstream suppliers of methamphetamine, including Defendant Landry, supplied their co-conspirators with pounds of methamphetamine at a time. With respect to GBL, the upstream suppliers supplied GBL to Landry and others for further distribution down the chain of supply to the ultimate users.

The organization was very sophisticated. Its members used encrypted applications, coded language, commercial parcel services, stash locations, and shell business entities to facilitate and conceal its operations. Members of the conspiracy accepted payments through peer-to-peer platforms and deposited those funds into business accounts, using the accounts to disguise drug proceeds as legitimate income. The defendants were integral participants in a tightly coordinated network responsible for the large-scale distribution of dangerous narcotics.

At the center of the conspiracy, narcotics were sourced in bulk quantities and shipped to co-conspirators in New York, Washington D.C., and other locations, where they were stored and redistributed to customers and sub-distributors. Members of the conspiracy used commercial parcel services, including UPS and USPS, to ship kilogram quantities of methamphetamine across state lines, coordinating shipments through encrypted applications.

Law enforcement recovered narcotics from multiple locations used by members of the conspiracy, including residences, hotel rooms, and storage units. Members of the conspiracy conducted repeated transactions with the same customers, maintained running balances for drug debts, and coordinated deliveries using coded language referring to quantities and drug types.

GBL was imported in liquid form through international shipments that were falsely declared as consumer products, including cleaning solutions and beauty supplies. These shipments were intercepted on multiple occasions upon arrival into the United States, confirming the

conspiracy's ongoing use of international supply lines. Methamphetamine, by contrast, was distributed domestically in pound quantities and consistently tested at exceptionally high purity levels, with nearly all seizures to date exceeding 90% purity.

Payments for narcotics were made through peer-to-peer platforms, including Apple Pay, Cash App and Zelle, as well as in cash. Members of the conspiracy tracked those payments through ledgers and, in some instances, routed funds through business accounts to conceal that the money represented drug proceeds.

Over the course of the investigation into this drug trafficking conspiracy, defendant Landry was identified as a major source of supply for methamphetamine in California. For example, in text messages from late April 2025, Landry discussed meeting with another person who wanted to "take the 5p," which based on the investigation, is believed to refer to five pounds of methamphetamine. The recipient of the methamphetamine stated that they would give Landry cash. Landry replied that the recipient can "pay \$4750 for this batch" and can pay "another \$4750" for the next batch. The two then realized they were having this text message conversation via iMessage. Concerned, Landry stated "Omg why the hell are we texting off of signal [an encrypted messaging app]?" and the recipient responded "I'm erasing it going back to signal."

In late-May 2025, an individual travelled to Los Angeles and purchased methamphetamine from Landry and subsequently had it shipped package back to the East Coast. Early the next month, that individual was arrested at their residence by the DEA incident to a controlled delivery of approximately two kilograms of methamphetamine. At that time, the following narcotics and related items were recovered:

- a. Approximately 2.184 kilograms of methamphetamine (95% purity)
- b. Approximately 311 liters of GBL

- c. Approximately 284 grams of Xanax
- d. Approximately 210 grams of dimethyltryptamine (DMT)
- e. Approximately 190 grams of cocaine hydrochloride
- f. Approximately 36 grams of methylenedioxyamphetamine (MDMA) pills
- g. Approximately 26 grams of ketamine
- h. Approximately \$105,696.00 in U.S. Currency.

On June 24, 2025, law enforcement members in Ontario, CA, observed a co-conspirator of Landry leave Landry's residence (where he was arrested on May 7, 2026, and where he would return if he was released), carrying a white trash bag, several FedEx boxes, and a backpack and enter a white Tesla. About an hour and 15 minutes later, law enforcement stopped the Tesla and recovered approximately five pounds of methamphetamine inside the FedEx boxes inside the vehicle.

Law enforcement then obtained a follow-on search warrant for Landry's residence. During the search of the residence, the residence was empty of occupants. Inside the residence, law enforcement members located a black safe in the master bedroom that contained approximately 9 pounds of suspected methamphetamine, a small clear plastic baggie containing approximately three grams of suspected ketamine, several unused plastic baggies, and a working digital scale with visible residue. Additionally located inside the safe was an orange prescription bottle containing 11 blue round pills imprinted "E 111", which were determined to amphetamine and dextroamphetamine 10mg tablets. Additionally, law enforcement located a clear plastic bottle with a black label featuring silver and green stripes, which contained suspected GBL. The markings on the bottle were consistent with branding used on other bottles of GBL seized in this conspiracy and indicate that Landry was receiving GBL from other co-conspirators for

redistribution. Further, during the search, various mail matter and documents bearing Landry's name were found throughout the apartment. Ultimately, law enforcement seized the evidence and left the residence.

In sum, the evidence establishes that the Defendant played a key part in a sophisticated drug trafficking organization responsible for distributing large quantities of high purity methamphetamine and GBL. Members of the conspiracy coordinated shipments across the country, maintained stash locations, directed transactions, and moved substantial drug proceeds through layered financial systems. The scale of the narcotics, the repeated seizures of kilogram quantities, and the ongoing nature of the conduct demonstrate that this was a dangerous, organized, and persistent conspiracy posing a significant risk to the community.

On May 7, 2026, the Defendant was arrested in California on the arrest warrant issued by this Court following his indictment in this case. Magistrate Judge Viramontes ordered that the Defendant could post a \$250,000 bond (\$50,000 without justification first for Individual 1, and a \$200,000 affidavit of surety with full deeding of property with justification for Individual 2) and be released to the custody of Individual 1, who would stay with the Defendant at the Defendant's residence. She also ordered location monitoring and curfew at agency discretion. Magistrate Judge Viramontes agreed to stay her release order until 5:00 p.m. PT (8:00 p.m. ET), on May 14, 2026. Accordingly, the government requests the Court enter an order staying the Magistrate's release order pending the entirety of the de novo review process.

ARGUMENT

Title 18, U.S.C. § 3145(a) states:

(a) Review of a release order – If a person is ordered released by a magistrate, ...

(1) the attorney for the Government may file, with the court having original jurisdiction over the offense, a motion for

revocation of the order or amendment of the conditions of release

...

The motion shall be determined promptly.

On the government's motion to review a release order, this Court considers *de novo* the Magistrate Judge's denial of pre-trial detention. In its discretion, the Court may proceed to rehear the evidence by recalling the witnesses, reviewing transcripts, or by proceeding through proffer and argument. It may take additional evidence from new witnesses or consider arguments not previously raised. In short, the Court may proceed as best enables it to resolve the question posed: whether any condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of any other person and the community.

As the legislative history of the 1984 Bail Reform Act amendments shows:

[T]he language referring to the safety of the community refers to the danger that the defendant might engage in criminal activity to the detriment of the community. The committee intends that the concern about safety be given a broader construction than merely danger of harm involving violence. . . .

See S.Rep. No. 225, 98th Cong., 2d Sess. 307, reprinted in 1984 U.S. Code Cong. & Ad. News 3182, 3195-3196.²

² To that end, it is worthwhile recalling Congress' intent in 1984 when it enacted the current version of the Bail Reform Act:

Many of the changes in the Bail Reform Act reflect the . . . determination that Federal bail laws must . . . give the courts adequate authority to make release decisions that give appropriate recognition to the danger a person may pose to others if released. . . . The constraints of the Bail Reform Act fail to grant the Courts the authority to impose conditions of release geared toward assuring community safety, or the authority to deny release to those defendants who pose an especially grave risk to the safety of the community. . . . *This broad base of support for giving judges the authority to weigh risks to community safety in pretrial release decisions is a reflection of the deep public concern, which the Committee shares, about the growing problem of crimes committed by persons on release.*

As explained above, the government contends that the Defendant is subject to detention pursuant to § 3142(f)(1)(B) and (C) because he is charged with an offense that carries a maximum sentence of life in prison, which is also a serious drug felony. The government also contends that the Defendant is subject to detention under § 3142(f)(2)(A), as a flight risk.

Pursuant to 18 U.S.C. § 3142(e)(3)(A), there exists a rebuttable presumption that no conditions or combinations of conditions can effectively ensure the Defendant's appearance in this case and otherwise protect the community. In light of the nature and circumstances of the offenses charged, the weight of the evidence against the Defendant, the Defendant's history and characteristics, and the dangers to the community posed by the Defendant's release, the Defendant cannot overcome the presumption that he is a danger to the community and a risk of nonappearance. To the contrary, these factors establish that the presumption is correct.

A. The Nature and Circumstances of the Offense

The nature and circumstances of the charged offenses weigh in favor of detention for several reasons. The grand jury found probable cause to believe that the Defendant was engaged in a lengthy and wide-reaching conspiracy to distribute (1) 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, and (2) 50 grams or more of methamphetamine (actual). Methamphetamine is a dangerous drug that is devastating local communities, causing overdose deaths, and facilitating violence (both domestic and drug-rival related). Methamphetamine causes tens of thousands of deaths in our country every year, and the combination of methamphetamine and other drugs, including GBL, is even more devastating. The defendant obtained, distributed, and redistributed kilogram quantities of methamphetamine to the

See S. Rep. No. 225, 98th Cong., 2d Sess. 307, reprinted in 1984 U.S. Code Cong. & Ad. News 3182, 3486-3487. (Emphasis added.)

east coast, including the Washington, D.C. area.

The charges against the Defendant exposes him to a serious period of incarceration. The Defendant faces up to life in prison under 21 U.S.C. § 841(b)(1)(A)). Based on the charged offense, the Defendant faces a rebuttable presumption that no conditions or combinations thereof can effectively ensure the Defendant's appearance in this case and otherwise protect the community, pursuant to 18 U.S.C. § 3142(e)(3)(A).

B. The Weight of the Evidence Against the Defendant

The second factor, weight of the evidence against the Defendant, is to be considered equally with the other three factors for the Court's consideration for pre-trial detention, as recently clarified by former-Chief Judge Howell. This factor is a "common-sense" consideration, for "if the evidence against a defendant is overwhelming, credible, helpful, and important to the government's case in chief, that may increase the risk that a defendant will flee to avoid future court proceedings and may indicate that the defendant is a present danger to himself or the community if the government's allegations later prove to be true." *United States v. Blackson*, 2023 WL 1778194, at *10 (D.D.C. Feb. 6, 2023) (Howell, C.J.), *aff'd*, No. 23-3020, 2023 WL 2663034 (D.C. Cir. Mar. 28, 2023).

The evidence against the Defendant is extremely strong. As noted above, law enforcement has recovered large quantities of methamphetamine, GBL and other drugs from members of this conspiracy. This includes, among other things, nine pounds of methamphetamine recovered from Landry. This occurred both during the long-term investigation into this drug trafficking conspiracy, as well as during the execution of search warrants on April 29, 2026 and May 7, 2026.

Aside from the sheer weight of the drugs tied to the Defendant's conspiracy, the Defendant was captured on numerous electronic communications, despite utilizing encrypted messaging platforms, discussing drug shipments and drug distribution. These electronic communications

further establish the Defendant's participation in a large conspiracy.

C. The History and Characteristics of the Defendant

Landry appears to not have a significant criminal history, although he does have an old drug arrest from 2010. But his record does not demonstrate a commitment to abide by the law. Rather, given his ascendancy to trafficking pounds of methamphetamine at a time, his lack of criminal history shows his sophistication as a drug trafficker. For example, on June 24, 2025, Landry used another person to take the methamphetamine, and concomitant risk, on his behalf—thereby insulating him from possible arrest. Nevertheless, during the course of this investigation, law enforcement has been able to identify him as a significant trafficker despite his lack of criminal history.

D. The Nature and Seriousness of the Danger to Any Person or the Community Posed by the Person's Release

The fourth factor—the nature and seriousness of the danger to any person or the community posed by the person's release—also weighs in favor of detention. The presumption under § 3142(e)(3)(A), establishes that narcotics trafficking remains an “inherently dangerous activity.” *See United States v. Bethea*, 763 F. Supp. 2d. 50, 54 (D.D.C. 2011) (Lamberth, C.J.).

Although he maintains that he is no longer dealing drugs, the items found in his residence belie that claim, and in any case, his release poses a danger to the community. The Defendant has been charged in a sprawling drug trafficking conspiracy involving one of the most dangerous and debilitating drugs that is having a horrifying impact on our local and national community. Under the Bail Reform Act, 18 U.S.C. §§ 3142 et seq., “[t]he statutory language, as well as the legislative history, unequivocally establishes that Congress intended to equate traffic in drugs with a danger to the community.” *United States v. Strong*, 775 F.2d 504, 506 (3d Cir. 1985). Its legislative history also “fully supports the conclusion that Congress intended to equate drug trafficking with danger

to the community.” *Id.* at 507. As noted by the D.C. Circuit, Congress included the rebuttable presumption covering serious drug trafficking offenses because:

‘Persons charged with major drug felonies are often in the business of importing or distributing dangerous drugs, and thus, because of the nature of the criminal activity with which they are charged, they pose a significant risk of pretrial recidivism. Furthermore, the Committee received testimony that flight to avoid prosecution is particularly high among persons charged with major drug offenses. Because of the extremely lucrative nature of drug trafficking, and the fact that drug traffickers often have established substantial ties outside the United States from whence most dangerous drugs are imported into the country, these persons have both the resources and the foreign contacts to escape to other countries with relative ease in order to avoid prosecution for offenses punishable by lengthy prison sentences.’

Alatishe, 768 F.2d at 370 n.13 (quoting S. Rep. No. 225, 98th Cong., 1st Sess. 20 (1983), U.S. Code Cong. & Admin. News 1984, p. 3203). In creating a presumption of pretrial detention for serious drug trafficking offenses, both the legislative history and the statutory language make clear that very “real-world” concerns lie behind the recognition of the inherent, pretrial dangers and flight risks posed by those who commit serious drug trafficking offenses.

Finally, with respect to risk of flight, is lack of ties to D.C. and his lack of stable legitimate employment suggest that, if released, he will not return to Court.

CONCLUSION

WHEREFORE, the United States respectfully requests the Court issue an emergency order staying the Magistrate’s release order pending the de novo review process and further requests the Court ultimately order the Defendant detained pending trial.

Respectfully submitted,

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