

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals For the First Circuit

No. 00-1341

UNITED STATES,

Appellee,

v.

JESSICA ORTIZ, a/k/a MARTA,

Defendant, Appellant.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

[Hon. Nathaniel M. Gorton, U.S. District Judge]

Before

Torruella, Chief Judge,
Selya and Stahl, Circuit Judges.

George F. Gormley and George F. Gormley, P.C. on brief for appellant.

Donald K. Stern, United States Attorney, and Michael D. Ricciuti, Assistant U.S. Attorney, on brief for appellee.

May 3, 2000

Per Curiam. Title 18 U.S.C. § 3142(i) requires that any detention order issued under section 3142(e) "shall (1) include written findings of fact and a written statement of the reasons for the detention" See also United States v. Moss, 887 F.2d 333, 337-38 (1st Cir. 1989) (per curiam) (written detention order which simply stated that the court had made a "full review" of the evidence and that defendant had failed to rebut the presumption was insufficient under section 3142(i)). The district judge's written order of detention in this case provides no written statement of the reasons for the detention decision. In such circumstances, meaningful appellate review is impossible, especially where the magistrate judge ordered appellant released and did provide a written statement of the reasons for that decision.

Therefore, we remand the matter with directions to the district judge to provide a written statement, by May 23, 2000, of the reasons for his decision to detain the appellant.

Remanded.