

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA                 :  
  :  
                  v.                            :  
  :  
SUNNI ALI                                    :  
  :

CRIMINAL NO. 07-cr-42-JF-02

MEMORANDUM AND ORDER

Fullam, Sr. J.

March 20, 2007

The defendant is charged with three counts of armed robbery, one count of conspiracy to commit robbery and three counts of using and carrying a firearm during and in relation to a crime of violence. Magistrate Judge Caracappa refused to grant the defendant release on bail pending trial, and the defendant has now filed a motion seeking to be admitted to bail. The government opposes the motion.

The defendant is charged with three very serious offenses, in which firearms were allegedly carried either by the defendant or his accomplices. There is, apparently, evidence that, during at least one of these robberies, defendant himself carried a firearm. The nature of the charges against the defendant gives rise to a presumption that he might well be a danger to the community if released.

On behalf of the defendant, it is argued that the defendant remained free on bail, without incident, for some eight months while the case was being prosecuted by the state authorities; and that, when the federal government decided to

take over the prosecution, defendant arranged to surrender voluntarily. These arguments have considerable appeal, but it remains true (1) that the defendant is charged with very serious offenses involving firearms; (2) that the defendant has a very extensive record of criminal convictions for serious offenses; and (3) that Magistrate Judge Caracappa has concluded that the defendant does not qualify for release on bail. I am not disposed to second-guess her decision. Defendant's motion will be denied.

An Order follows.

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ORDER

AND NOW, this 20<sup>th</sup> day of March 2007, upon  
consideration of defendant's Motion to Set Bail, and the  
government's response, IT IS ORDERED:  
that the defendant's motion is DENIED.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.