

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No.: 8:17-cr-209-T-36MAP

LARRY DARNELL BINGHAM

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**ORDER OF DETENTION PENDING TRIAL**

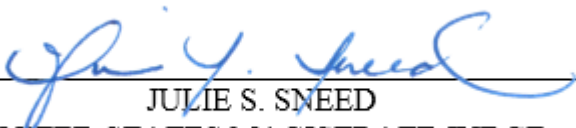
THIS MATTER is before the Court on the Government's motion to detain Defendant pursuant to 18 U.S.C. § 3142(f) and Defendant's Motion to Set Reasonable Conditions of Pretrial Release (Dkt. 14). In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a bail hearing has been held. This Court concludes that the following facts require the detention of Defendant, Larry Darnell Bingham, pending further order of the Court.

Defendant is charged in an Indictment with distribution of a controlled substance and being a felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and 21 U.S.C. § 841(a)(1). The Government seeks detention on grounds that Defendant is a risk of flight and danger to the community. Upon consideration, for the reasons stated on the record at the hearing, and based on the factors under 18 U.S.C. § 3142(g), to specifically include the nature and circumstances of the case, the weight of the evidence against Defendant, and the history and characteristics of Defendant, the Court finds that Defendant should be detained pending the final outcome of this case. Specifically, the evidence against Defendant in this case is strong as proffered by the Government and the factual basis underlying the charged offenses involves the sale of illegal drugs and possession of weapons. The sale of illegal drugs and possession of weapons pose a risk of danger to the community. *See United States v. Rivera*, 90 F. Supp. 2d 1338, 1343 (S.D. Fla. 2000) (quoting *United States v. Harris*, 128 F.3d 850, 852 (4th Cir. 1997))

(“guns and drugs form a lethal combination that can lead to violence”); *see also United States v. Johnson*, 399 F.3d 1297, 1301–02 (11th Cir. 2005) (“possession of a firearm under certain circumstances may, in fact, involve conduct that creates a substantial risk of violence”). Additionally, the Court finds that Defendant’s release would present a risk of flight and a danger to the community given his criminal record of convictions for burglary and violations of probation. Accordingly, it is hereby **ORDERED** that Defendant’s Motion to Set Reasonable Conditions of Pretrial Release (Dkt. 14) be **DENIED** and that Defendant be **DETAINED**.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to a United States marshal for the purpose of an appearance in connection with a court proceeding.

**DONE** and **ORDERED** in Tampa, Florida, on January 16, 2018.

  
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JULIE S. SNEED  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
Counsel of Record  
United States Pretrial Services  
United States Marshals Service