

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NO: 6:18-cr-176-Orl-37TBS

FRANCISCO SIACA MELENDEZ

Defendant.

ORDER

This case comes before the Court without a hearing on Defendant Francisco Siaca Melendez's Motion to Reconsider the Request to Modify Conditions of Release Re Authorization to Travel Out of the Country to Italy from October 15-25, 2018 (Doc. 20).

Defendant has been indicted on three counts of possession of a firearm by a convicted felon in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (Doc. 1). I previously restricted his travel to the Middle District of Florida (Doc. 8). Defendant desires to travel to Italy on a prepaid "belated honeymoon." He represents that the fees he has paid for this trip are not refundable (Doc. 18, ¶ 5; Doc. 20, ¶ 4). The government opposes the motion; Pretrial Services does not oppose the motion (Id., ¶ 5).

In my absence, United States Magistrate Judge Karla R. Spaulding denied Defendant's original request to travel to Italy, noting that the case is set for trial beginning November 5, 2018 (Doc. 19). Now, Defendant represents that this case will likely be resolved by open plea in advance of the trial (Doc. 20, ¶ 4). He also represents that allowing him to travel to Italy will not create a danger to the community or increase the likelihood that he will fail to appear as required in this Court (Id., at 3).

Defendant's motion does not persuade the Court that Judge Spaulding obviously misapprehended Defendant's position, the facts, or the applicable law. It appears that she was aware of all of the relevant facts necessary to make an informed decision and there has been no showing of clear error or manifest injustice. Additionally, the Court agrees completely with Judge Spaulding's decision. For these reasons, the motion for reconsideration is **DENIED**.

DONE and **ORDERED** in Orlando, Florida on October 11, 2018.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to:

Counsel of Record
United States Pretrial Services Office
Francisco Siaca Melendez