

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER DENYING DEFENDANT’S
)	MOTION FOR RELEASE
vs.)	
)	
Redfawn Fallis,)	Case No. 1:17-cr-16
)	
Defendant.)	

Before the Court is a “Motion for Defendant’s Release on Conditions” filed on January 23, 2018. See Docket No. 220. The Government filed a response to the motion on January 23, 2018. See Docket No. 221. For the reasons set forth below, the motion is denied.

On October 22, 2017, Fallis was placed at Centre, Inc. in Fargo, North Dakota, subject to their rules and regulations. She resided there without incident from the date of her original placement until January 18, 2018.

On January 18, 2018, the United States Probation Office filed a petition alleging Fallis failed to report to her GED classes on that date, and she was not permitted to be at another location. See Docket No. 209. The Court issued an arrest warrant which was served on her when she voluntarily returned to the halfway house at approximately 4:30 PM that same day. Fallis was arrested and placed in custody on January 18, 2018. On January 22, 2018, she appeared before the Court for a change of plea hearing. See Docket No. 218. During that hearing, Fallis admitted she violated Centre Inc.’s rules on January 18th, and she admitted to the pre-trial release violation. Fallis now requests the Court permit her to be returned to Centre, Inc. in Fargo, under any additional terms of supervision the Court chooses to impose.

When Fallis returned to Centre, Inc. during the late afternoon hours of January 18, 2018, the following occurred:

- Centre, Inc. staff inquired where Fallis had been all day;
- Fallis insisted she has been at GED classes;
- Centre Inc. staff informed Fallis they were aware she had not checked in for GED classes that morning, and no one had seen her the entire day;
- Fallis had turned off her cell phone that day so neither Centre, Inc. staff nor USPO Officer Heather Heck could locate her whereabouts; and
- Fallis refused to answer any questions concerning where she had been throughout the entire day.

In other words, Fallis was unaccounted for the entire day; she made a conscious decision to thwart efforts to locate her by phone; she was less than forthright when confronted about her whereabouts upon her return to Centre, Inc.; and she refused to answer any questions as to where she had been. Based on the totality of the circumstances, the violations of the conditions of pretrial release, and the Defendant's lack of candor, the Court in the exercise of its broad discretion **DENIES** the motion for release (Docket No. 220).

IT IS SO ORDERED.

Dated this 2nd day of February, 2018.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court