

FILED: October 21, 2009

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 09-4862
(7:08-cr-00054-JCT-1)

UNITED STATES OF AMERICA,

Plaintiff - Appellant,

v.

WILLIAM A. WHITE,

Defendant - Appellee

C O R R E C T E D

O R D E R

The district court ordered the release of the defendant pending trial, by order dated September 18, 2009. The government has appealed the order, and pending appeal, we stayed it by order dated September 23, 2009. We now reverse the district court's order releasing the defendant pending trial.

The evidence is essentially undisputed, most of it being documentary. Recognizing the deference owed the district court, we nonetheless conclude that the court failed adequately to take into account that aspect of the record -- that the defendant is a highly intelligent person apparently dedicated to having

various persons killed -- in light of the factors specified in 18 U.S.C. § 3142(g) for consideration in assuring the safety of other persons and the community.

Entered at the direction of the panel: Judge Wilkinson, Judge Niemeyer and Judge King.

For the Court

/S/ Patricia S. Connor

Clerk