UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 05-80215-CR-RYSKAMP/HOPKINS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GARY C. BRESTLE,

Defendant.
_____/

FILED by _____ D.C.
FEB - 9 2006
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA. - W.P.B

ORDER AFFIRMING MAGISTRATE JUDGE

THIS CAUSE came before the Court on the appeal by the defendant, Gary Brestle, of the order of the Magistrate Judge dated December 30, 2005. The Court has reviewed the record including the briefs of the parties. The Court adopts that portion of the Magistrate Judge's Order on pages 7-14. The Court finds potential for conflict of interest between the defendant and defense counsel. Accordingly, the order of the Magistrate Judge is **AFFIRMED**.

DONE and ORDERED in West Palm Beach, this 7 day of February, 2006.

KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE

cc: U.S. Magistrate Judge James M. Hopkins
Ellen Cohen, AUSA
Alan Ross, Esq.
David Raben, Esq.

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