

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 14-40028-TSH
)	
2. JAMES MATTHEW MERRILL,)	
Defendant)	

ORDER

Whereas the Court previously issued orders authorizing the seizure of certain assets in connection with the instant case pursuant to applications submitted by the United States;

Whereas included among the assets seized were all funds on deposit in Commerce Bank Account Numbers ***0724 and ****I587, held in the name of Brazilian Help, Inc. (the "Commerce Bank Funds");

Whereas defendant James Matthew Merrill has filed a motion seeking the release of funds seized by the United States (Dkt. 55), such that said funds could be utilized to secure his counsel of choice, as guaranteed by the Sixth Amendment;

Whereas pursuant to an agreement by and among the United States, Mr. Merrill and Brazilian Help, Inc., the United States has agreed that it will not present evidence regarding the Commerce Bank Funds, and Mr. Merrill has agreed to withdraw his motion for a hearing;

It is hereby ORDERED that the pretrial seizure orders regarding the Commerce Bank Funds are hereby vacated.

IT IS SO ORDERED,

Dated: December 11, 2014



Hon. David H. Hennessy
United States Magistrate Judge