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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHELLE L. BOUZIDEN,

Defendant.

**UNITED STATES' POSITION
REGARDING DETENTION**

Case No. 1:26-cr-00065-TC

Judge Tena Campbell
Magistrate Judge Paul Kohler

☒ The United States is not seeking detention. However, the United States is seeking some conditions of pretrial release.

Charges

This case involves fraudulent applications for federal disability benefits by an Assistant Special Agent in Charge (ASAC) employed by the United States Department of Agriculture, Office of the Inspector General. Ms. Bouziden suffered an injury on the job and then claimed she had ongoing symptoms from that injury to continue applying for disability benefits while living a high endurance, high altitude, athletic lifestyle.

Ms. Bouziden is charged with:

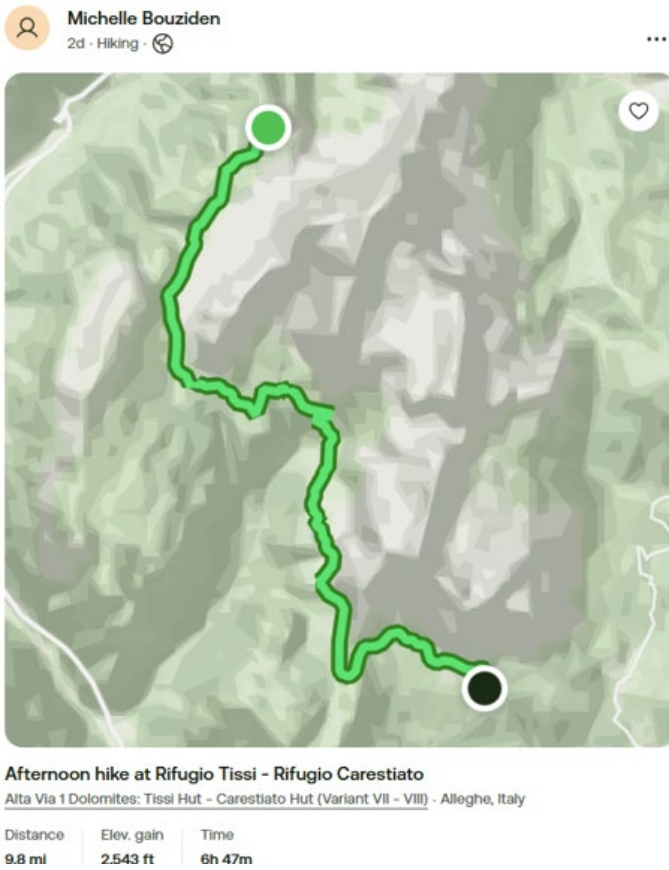
- One count Wire Fraud, 18 U.S.C. § 1343;

- One count False Reports for Federal Workers' Compensation Benefits, 18 U.S.C. § 1505;
- One count Obstruction of Federal Department and Agency Proceedings, 18 U.S.C. § 1505;
- One count Theft of Government Property, 18 U.S.C. § 641.

Brief Summary of Factual Allegations

Beginning in May 2026 through time of indictment, Ms. Bouziden claimed she was completely unable to work due to ongoing complications from a concussion she suffered on the job. Ms. Bouziden continuously certified she was injured and unable to perform job required tasks, work long hours, engage in physical exertion, or complete high level cognitive reasoning. At the same time, Ms. Bouziden was publishing trips and intense hiking adventures on social media. Twice when the Department of Labor attempted to schedule a second opinion medical evaluation, Ms. Bouziden canceled due to a conflict. Both times she claimed she would be out attending a "wellness retreat." On both occasions she was in fact out of state for intense hiking adventures.

For example, around August 20, 2026, Ms. Bouziden filed documents with Office of Workers' Compensation Payments saying she was totally disabled and too symptomatic to return to work. That same day, she flew to Italy to hike the Dolomites and remained there until September 3, 2026. She also indicated she could not attend an appointment for a second opinion medical evaluation on August 31, 2026 because she would be at a "wellness retreat."



The United States is seeking conditions of release to manage the potential risk of flight.

Ms. Bouziden is currently not working. She is facing criminal charges. And to the United States belief and knowledge, she has imminent international travel plans.

Therefore, under the circumstances and given the facts of the case, the United States believes certain probation conditions of pretrial release are necessary. (Letters correspond to probation's standard conditions.)

- (a) maintain or actively seek verifiable employment and/or maintain or commence an educational program as approved by the pretrial officer.
- (b) abide by the following restrictions on his/her personal associations, place of abode, or travel:
 - ☐ (i) maintain residence and do not change without prior permission from the pretrial officer.
 - ☐ (ii) not travel outside the state of Utah without prior permission from the pretrial officer.
 - ☐ (iii) not travel outside the United States without prior permission from the Court.
- (d) report on a regular basis to the pretrial officer as directed. Immediately report to the pretrial officer any contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (e) not possess a firearm, ammunition, destructive device, or other dangerous weapon.
- (l) undergo mental health evaluation and complete any recommended treatment, as directed by the pretrial officer, and take any mental health medications as prescribed; defendant shall pay all or part of the cost of the program, based upon your ability to pay as the pretrial officer determines.
- (m) surrender any passport to the United States Clerk of the Court, District of Utah.
- (n) not obtain or apply for passport.

☐ Detention is not at issue because this is an immigration reentry case where the defendant has opted to participate in the fast track program, which includes agreeing to detention for the pendency of this case.

☐ The United States moves for detention based on current information. The United States' positions in this preliminary pleading could change after reviewing the Pretrial Report or learning of additional evidence. The United States reserves the right to assert positions even if the boxes next to those positions are not checked below, raise additional arguments, and file additional pleadings in support of detention. The United States' motion for detention is:

☐ Pursuant to 18 U.S.C. § 3142(f)(1) because defendant is charged with:

- ☐ **(A)** a crime of violence (*see* 18 U.S.C. § 3156(a)(4)), a violation of 18 U.S.C. § 1591 (sex trafficking of children), or an offense under § 2332b(g)(5)(B) (specific enumerated crimes) for which a maximum term of imprisonment of 10 years or more is prescribed; **or**
- ☐ **(B)** an offense for which the maximum sentence is life imprisonment or death; **or**
- ☐ **(C)** an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508); **or**
- ☐ **(D)** any felony if the defendant has been convicted of two or more offenses described in (a) through (c) above, or two or more State or local offenses that would have been offenses described in (a) through (c) above if a circumstance giving rise to Federal jurisdiction had existed, or a combination of such offenses; **or**
- ☐ **(E)** any felony that is not otherwise a crime of violence but involves: **(i)** a minor victim; **(ii)** the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921); **(iii)** any other dangerous weapon; or **(iv)** a failure to register under 18 U.S.C. § 2250;

OR

☐ Pursuant to 18 U.S.C. § 3142(f)(2) because the case involves:

- ☐ **(A)** a serious risk the defendant will flee; **or**

- ☐ **(B)** a serious risk the defendant will obstruct or attempt to obstruct justice, or threaten, injure, intimidate, attempt to threaten, injure or intimidate a prospective witness or juror.

Procedure

The defendant may seek a continuance of the detention hearing of up to five days, and the United States may seek a continuance of up to three days. 18 U.S.C. § 3142(f). During any such continuance, the defendant shall be detained. *Id.* The rules concerning the admissibility of evidence do not apply at the detention hearing. *Id.* The United States has the burden of persuasion by clear and convincing evidence that no condition or combination of conditions of release will reasonably assure the safety of any other person and the community or by a preponderance of evidence that no condition or combination of conditions of release will reasonably assure the defendant's appearance as required. *Id.*; *United States v. Cisneros*, 328 F.3d 610, 616 (10th Cir. 2003).

Rebuttable Presumption

- ☐ A rebuttable presumption applies and the defendant bears the burden to produce some credible evidence to rebut this presumption. The United States acknowledges that it retains the burden of persuasion. The statutory presumption applies:
- ☐ Pursuant to 18 U.S.C. § 3142(e)(2) (*previous violator*): There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of any other person and the community because:
- (A)** the defendant has previously been convicted of a Federal offense that is described in 18 U.S.C. § 3142(f)(1), or of a State or local offense that would have been such an offense if a circumstance giving rise to Federal jurisdiction had existed; *and*
 - (B)** the defendant committed that offense while on release pending trial for a Federal, State, or local offense; *and*
 - (C)** a period of not more than five years has elapsed since the date of conviction, or the release of the defendant from imprisonment, for that, whichever is later.
- ☐ Pursuant to 18 U.S.C. § 3142(e)(3) (*narcotics, firearm, other offenses*): There is a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community because there is probable cause to believe that the defendant committed one or more of the following offenses:

- ☐ **(A)** an offense for which a maximum term of imprisonment of 10 years or more is prescribed in the Controlled Substances Act (21 U.S.C. §§ 801-904), the Controlled Substances Import and Export Act (21 U.S.C. §§ 951-971), or Chapter 705 of Title 46, U.S.C. (46 U.S.C. §§ 70501-70508);
- ☐ **(B)** an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;
- ☐ **(C)** an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for which a maximum term of imprisonment of 10 or more is prescribed;
- ☐ **(D)** an offense under Chapter 77 of Title 18, U.S.C. (18 U.S.C. §§ 1581-1597) for which a maximum term of imprisonment of 20 years or more is prescribed; **or**
- ☐ **(E)** an offense involving a minor victim under 18 U.S.C. §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(3), 2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or 2425.

Factors to Be Considered

The United States may present arguments, proffer evidence, or provide testimony at the scheduled hearing supporting the imposition of conditions of release on the defendant including, but not limited to:

- ☐ The nature and circumstances of the offense charged, including whether the offense is a crime of violence, a violation of section 1591, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm or destructive device. (18 U.S.C. § 3142(g)(1)).
- ☒ The weight of evidence against the defendant. (18 U.S.C. § 3142(g)(2)).
- ☒ The history and characteristics of the defendant including the defendant's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history and record concerning court proceedings. (18 U.S.C. § 3142(g)(3)(A)).
- ☐ Whether, at time of the current offense or arrest, the defendant was on probation, parole, or other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law. (18 U.S.C. § 3142(g)(3)(B)).
- ☐ The nature and seriousness of danger to any person or to the community that would be posed by the defendant's release. (18 U.S.C. § 3142(g)(4)).
- ☐ The defendant's lack of legal status in the United States. The defendant's legal status

is:

- ☐ How the defendant would be subject to removal or deportation after serving a period of incarceration.
- ☐ The defendant's significant family or other ties outside of the United States.
- ☐ The defendant's use of aliases or false documents.
- ☐ The defendant's prior attempts to evade law enforcement.
- ☐ How the defendant's proposed residence, employment, or proposed treatment programs have not been verified.
- ☐ The defendant's prior failures to appear for court proceedings.
- ☐ Other reasons including:

Victim Notification

- ☐ The United States has notified any identified victim, or attempted to do so, pursuant to 18 U.S.C. § 3771.
- ☐ The victim(s) in this matter seek(s) a no contact order.
- ☒ This matter does not involve a victim requiring notification.

DATED this 24th day of September, 2026.

MELISSA HOLYOAK
United States Attorney

/s/ Luisa Gough
Luisa Gough
Assistant United States Attorney