

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
VS.) 23-CR-36
)
ALEXANDER LEDVINA,) **Redacted Transcript**
)
Defendant.)

APPEARANCES:

ATTORNEY ADAM JOHN VANDER STOEP, U.S. Attorney's Office,
111 Seventh Avenue S.E., Box 1, Cedar Rapids, Iowa 52401,
appeared on behalf of the United States.

ATTORNEY ELIZABETH A. ARAGUÁS, Nidey Erdahl Meier &
Araguás, 425 Second Street Southeast, Suite 1000, Cedar
Rapids, Iowa 52401, appeared on behalf of the Defendant.

DETENTION HEARING,

HELD BEFORE THE HON. MARK A. ROBERTS,

on the 21st day of June, 2023, at 111 Seventh Avenue
S.E., Cedar Rapids, Iowa, commencing at 2:32 p.m., and
prepared from an audio recording by Patrice A. Murray,
Certified Shorthand Reporter.

Transcript Ordered: 7/3/23
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1 (The following transcript was prepared from an audio
2 recording.)

3 * * * * *

4 (The following proceedings were held in open court.)

5 THE COURT: The case now before the Court is
6 the United States versus Alexander Wesley Ledvina, number
7 23-CR-36. The United States is represented by Assistant
8 United States Attorney Adam Vander Stoep. The defendant
9 is here in person with attorney Liz Araguás. The matter
10 comes on for a detention hearing.

11 Mr. Vander Stoep, is the government ready to
12 proceed?

13 MR. VANDER STOEP: Yes, Your Honor.

14 THE COURT: Ms. Araguás, is Mr. Ledvina ready
15 to proceed?

16 MS. ARAGUÁS: He will be in just a moment, Your
17 Honor. I apologize, he came out just before Your Honor
18 did. Can I answer a quick question he had?

19 THE COURT: Yes, you may.

20 MS. ARAGUÁS: Thank you.

21 (Brief pause in proceedings.)

22 MS. ARAGUÁS: Thank you, Your Honor.

23 THE COURT: At this stage, it is the
24 government's burden, Mr. Vander Stoep, and you may
25 proceed.

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1 MR. VANDER STOEP: Thank you, Your Honor.
2 Before we call our first witness, the United States does
3 request that Your Honor take formal notice of the
4 Pretrial Services Report filed in this case at document
5 number 14.

6 THE COURT: Any objection?

7 MS. ARAGUÁS: No, Your Honor.

8 THE COURT: I'll let the parties know I have
9 reviewed the Pretrial Services Report in detail, and at
10 this point, I will take formal notice of it.

11 MR. VANDER STOEP: Thank you, Your Honor. At
12 this time, the United States government calls Special
13 Agent Bryce Friend.

14 THE COURT: Agent Friend, if you would come
15 forward, please. And before you have a seat, if I could
16 ask you to stop and raise your right hand.

17 ROBERT FRIEND,
18 called as a witness, being first duly sworn or affirmed,
19 was examined and testified as follows:

20 THE COURT: Please be seated.

21 Mr. Vander Stoep.

22 MR. VANDER STOEP: Thank you, Your Honor.

23 DIRECT EXAMINATION

24 BY MR. VANDER STOEP:

25 Q. Special Agent Friend, could you please state your

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1 name and spell your last name for the record?

2 A. Robert Bryce Friend, F-R-I-E-N-D.

3 Q. Are you currently employed?

4 A. Yes, I am.

5 Q. Where are you employed?

6 A. As a special agent with the Bureau of Alcohol,
7 Tobacco and Firearms.

8 Q. And what are your duties as a special agent with
9 ATF?

10 A. To investigate violations of federal and firearms
11 laws.

12 Q. Are you one of the case agents in the investigation
13 involving Mr. Alexander Wesley Ledvina?

14 A. Yes.

15 Q. Could you just briefly describe how agents first
16 became aware of Mr. Ledvina?

17 A. A DEA confidential source told agents that
18 Mr. Ledvina was a distributor of cocaine and possessor of
19 firearms.

20 Q. After receiving that information, were investigators
21 able to determine where Mr. Ledvina was residing?

22 A. Yes.

23 Q. Where was that?

24 A. [REDACTED] 30th Street Drive Southeast, Cedar Rapids.

25 Q. Is that located in the Northern District of Iowa?

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1 A. Yes, it is.

2 Q. Were investigators also able to determine if
3 Mr. Ledvina had a vehicle?

4 A. Yes, we were.

5 Q. Were you able to determine what kind of vehicle that
6 was?

7 A. Yes, a gray Chevy Impala.

8 Q. Were you able to determine that that Chevy Impala
9 had license plate number KYJ 918?

10 A. That's correct.

11 Q. Were investigators also able to identify prior
12 firearms that had been purchased by Mr. Ledvina?

13 A. Yes, we were.

14 Q. How?

15 A. We contacted local FFLs, firearms dealers, in the
16 area.

17 Q. So you said FFLs and you said firearms dealers.
18 What does FFL stand for?

19 A. Federal firearms licensee.

20 Q. So, in other words, that's just someone, like you
21 said, someone that sells firearms?

22 A. Correct.

23 Q. Do firearms dealers, or stores that sell firearms,
24 keep records of the firearms that they sell?

25 A. Yes, they do.

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1 Q. Why is that?

2 A. To document transactions of firearms.

3 Q. So based off of contacting firearms dealers, were
4 you able to determine whether or not Mr. Ledvina had
5 purchased firearms?

6 A. Yes, we were.

7 Q. Do you recall how many firearms you were able to
8 locate and determine?

9 A. 15.

10 Q. I want to draw your attention to March 24, 2022.
11 Did Mr. Ledvina report a burglary to his residence on
12 30th Street Drive Southeast in Cedar Rapids?

13 A. Yes.

14 Q. Did an officer respond to that residence?

15 A. Yes, they did.

16 Q. While the officer was at Mr. Ledvina's residence,
17 what did the officer observe?

18 A. He observed several firearms laying around the
19 apartment. He also noted a strong odor of marijuana in
20 the apartment.

21 Q. What did Mr. Ledvina tell the officer when the
22 officer was there on that date?

23 A. He stated that he believed an individual broke in
24 and stole a small safe.

25 Q. Did the officer prepare a report regarding that

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1 incident?

2 A. Yes, he did.

3 Q. Around the same time, did that DEA confidential
4 source also tell investigators about that burglary
5 incident?

6 A. Yes, he did. He stated that Mr. Ledvina was robbed
7 and didn't have any narcotics to sell.

8 Q. I next want to direct your attention to April 24,
9 2022. Did CRPD officers receive a call regarding a
10 weapons incident in Cedar Rapids, Iowa?

11 A. Yes, they did.

12 Q. Could you describe what happened?

13 A. The reporting party called the police department and
14 reported that an individual was banging on an apartment
15 door near their location. No one was answering the door.
16 And once -- once they got no answer from the door, this
17 individual, you know, saw these people watching him and
18 then displayed a handgun and asked them what they were
19 looking at.

20 Q. While officers were speaking with the individual
21 that filed the report, did that individual describe the
22 type of vehicle that the person who displayed the handgun
23 had gotten into?

24 A. Yes, he said it was a gray or blue four-door sedan
25 with a partial license plate of KYJ.

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1 Q. KYJ or KJY or something of that variation?

2 A. Yes, correct.

3 Q. And did that partial plate match the type of license
4 plate that Mr. Ledvina drives?

5 A. Yes, that would be consistent.

6 Q. Did officers follow-up with the individual who lived
7 in the apartment where that person had been seen banging
8 on the door?

9 A. Yes, they did.

10 Q. What did the resident tell officers?

11 A. He told officers that the individual banging on his
12 door was most likely Alex Ledvina, which he owed money
13 to. He also told the officers that Mr. Ledvina sells
14 drugs, specifically, marijuana and cocaine, and possesses
15 firearms.

16 Q. Did the resident of that location also describe what
17 kind of vehicle that Mr. Ledvina drives?

18 A. Yes, he did. He said it was a Chevy Impala.

19 Q. And did the resident indicate if that resident knew
20 where Mr. Ledvina lived?

21 A. Yes, he stated he lived on 30th Street Drive
22 Southeast.

23 Q. In Cedar Rapids?

24 A. Correct.

25 Q. During the course of this investigation, have

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1 investigators had a chance to speak with that resident
2 again concerning Mr. Ledvina?

3 A. I'm sorry, could you repeat that?

4 Q. Of course. During the course of this investigation,
5 have investigators had a chance to speak with that
6 resident again?

7 A. Yes, they did.

8 Q. Do you recall when that was?

9 A. That would have been, I believe, March of this year.

10 Q. So just a few months ago?

11 A. Correct.

12 Q. When investigators conducted that interview, was the
13 resident asked about Mr. Ledvina?

14 A. Yes, he was.

15 Q. What did the resident say about Mr. Ledvina?

16 A. He stated that that April incident, he owed \$200 to
17 Ledvina that he had loaned him. He also told us that
18 Mr. Ledvina was a distributor of cocaine and marijuana
19 and that he had bought cocaine from Mr. Ledvina on
20 multiple occasions.

21 Q. Did he indicate when he had started purchasing
22 cocaine from Mr. Ledvina?

23 A. I believe he stated approximately three to
24 four years ago.

25 Q. Okay. Did he indicate when the most recent time he

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1 had purchased cocaine from Mr. Ledvina was?

2 A. A month to two months prior to our conversation in
3 March I believe.

4 Q. Was it prior to your conversation in March or prior
5 to the April 2022 incident? Do you recall?

6 A. I don't recall. I'd have to look at -- refer to the
7 report.

8 Q. Did the resident indicate approximately how much
9 cocaine that person would purchase from Mr. Ledvina at a
10 time?

11 A. He stated typically 3.5 grams.

12 Q. And did that individual say how much they'd pay for
13 3.5 grams of cocaine?

14 A. Approximately \$200.

15 Q. Did the individual reference a time where they had
16 purchased a larger quantity of cocaine from Mr. Ledvina?

17 A. Yes, he stated on one occasion he purchased an ounce
18 I believe.

19 Q. Did he say how much he purchased the ounce for?

20 A. \$1,800.

21 Q. Did that resident say anything to investigators
22 regarding the burglary incident that had happened at
23 Mr. Ledvina's residence?

24 A. He stated that Mr. Ledvina had told him that he had
25 been robbed.

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1 Q. Did Mr. Ledvina tell the resident what he had been
2 robbed of?

3 A. Narcotics and money.

4 Q. I next want to bring your attention to May 20, 2022.
5 Did investigators conduct a trash pull from Mr. Ledvina's
6 residence?

7 A. Yes.

8 Q. Could you describe what a trash pull is?

9 A. That's where we collect the trash that's placed out
10 on the public road, roadway.

11 Q. Pursuant to conducting a trash pull on that date,
12 was there anything of evidentiary value found?

13 A. Yes, we found an empty box of ammunition, a piece of
14 mail addressed to the current resident of [REDACTED] 30th Street
15 Drive Southeast. We also found several cigar wrappers
16 and loose tobacco.

17 Q. Is there anything significant about there being
18 several cigar wrappers and loose tobacco?

19 A. It's consistent with taking the tobacco out of the
20 cigar wrappers and replacing it with marijuana, commonly
21 referred to as a "blunt."

22 Q. And what does an individual do with a blunt?

23 A. They would smoke it.

24 Q. I'd next like to bring your attention to July 29,
25 2022. Were investigators contacted by an owner of a gun

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1 store on July 29th?

2 A. Yes, they were.

3 Q. What did the owner say to investigators?

4 A. She stated that Mr. Ledvina purchased a firearm
5 online and was having it transferred through her FFL.

6 Q. And, again, the FFL is a -- just a gun store?

7 A. Correct.

8 Q. Or a store that sells guns, sorry.

9 A. Yes, correct.

10 Q. And where was this specific gun store located?

11 A. In Marion.

12 Q. Is that also located in the Northern District of
13 Iowa?

14 A. Correct.

15 Q. So after investigators received the call from this
16 gun store owner, was surveillance set up at Mr. Ledvina's
17 residence?

18 A. Yes, it was.

19 Q. Did investigators observe Mr. Ledvina on that day?

20 A. Yes, we did.

21 Q. Where was he first observed?

22 A. Leaving his residence.

23 Q. And was surveillance continued on Mr. Ledvina after
24 he was seen leaving his residence?

25 A. Yes.

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1 Q. Where was he observed to travel to?

2 A. He traveled to Black Dog Guns and Ammo in Marion.

3 Q. And what happened once Mr. Ledvina arrived at that
4 gun store?

5 A. He went inside and exited several minutes later with
6 a gun box.

7 Q. Did surveillance continue on Mr. Ledvina after that?

8 A. Yes, it did.

9 Q. Where did Mr. Ledvina go after that?

10 A. He went to a -- another FFL, Second Amendment
11 Company.

12 Q. And what did investigators observe when he arrived
13 there?

14 A. He went into that FFL and then came out several
15 minutes later with what appeared to be boxes of ammo.

16 Q. Was surveillance continued on Mr. Ledvina after he
17 exited that second gun store?

18 A. Yes. He was observed returning back to his
19 residence.

20 Q. At that point in time, did investigators terminate
21 surveillance of Mr. Ledvina?

22 A. Yes.

23 Q. So after Mr. Ledvina had returned home and
24 surveillance had concluded, what did investigators do?

25 A. We spoke with the FFL.

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1 Q. Which one?

2 A. Both of them.

3 Q. Which one did investigators speak to first?

4 A. Second Amendment Company.

5 Q. That would have been the second one that Mr. Ledvina
6 was observed going to?

7 A. Correct.

8 Q. And how -- how was an individual from that store
9 spoken to?

10 A. I believe we talked to him on the phone.

11 Q. Was that just an employee of that store?

12 A. Correct.

13 Q. What did that employee tell investigators?

14 A. He stated that Mr. Ledvina had called prior to
15 arriving at the store and asked if they had a certain
16 type of ammunition, which they did, and then he showed up
17 to the store.

18 Q. Did the employee say whether or not Mr. Ledvina
19 purchased ammunition?

20 A. Yes, he stated he purchased two boxes of
21 9x18-caliber ammunition.

22 Q. Did the employee say anything about Mr. Ledvina?

23 A. He stated that he believed Mr. Ledvina possibly had
24 ADHD and was very talkative. He also stated that
25 Mr. Ledvina asked about an AK rifle that he had that he

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1 was having some kind of issues with and that he said he
2 would possibly be bringing it in.

3 Q. Did the employee say whether or not Mr. Ledvina had
4 indicated that he had recently purchased another firearm?

5 A. Yes, he stated he had just purchased a
6 9x18-millimeter pistol.

7 Q. So after speaking with the employee at that second
8 gun store, did investigators go to that first gun store
9 to speak with employees there?

10 A. Yes, we did.

11 Q. Specifically, did investigators speak with the owner
12 of that gun store, the one who had called investigators
13 in the first place?

14 A. Yes, correct.

15 Q. What did the owner of that gun store tell
16 investigators?

17 A. She stated that when Mr. Ledvina arrived, she
18 believed that he smelled like marijuana, and she also
19 stated that on several other occasions that he had been
20 in her store, that she believed he smelled like
21 marijuana.

22 Q. While investigators were in that -- that specific
23 gun store, were investigators able to observe any sort of
24 report or forms that Mr. Ledvina would have completed
25 upon purchasing that firearm?

1 A. Yes, they provided the ATF form that Mr. Ledvina
2 filled out that day.

3 Q. What is that ATF form that you just mentioned?

4 A. It's the ATF form 4473, the firearms transaction
5 record.

6 Q. What is the purpose of that form?

7 A. To document transactions of firearms.

8 Q. Had Mr. Ledvina completed that form during that
9 transaction that day?

10 A. Yes.

11 Q. Are there a number of questions on that form?

12 A. Yes, there are.

13 Q. Is one of those questions whether or not the
14 individual purchasing the firearm is an unlawful user of
15 controlled substances?

16 A. Correct.

17 Q. Did Mr. Ledvina answer that question?

18 A. Yes; he answered no.

19 Q. He answered no, he was not an unlawful user of
20 controlled substances?

21 A. Correct.

22 Q. Was there another employee who was working in that
23 store that day?

24 A. Not an official employee. Just another individual
25 who helps out at the store occasionally.

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1 Q. So another individual who was present that
2 investigators spoke to that day?

3 A. Correct.

4 Q. So did investigators have a chance to talk to that
5 person about Mr. Ledvina?

6 A. Yes, they did.

7 Q. What did that individual say about Mr. Ledvina?

8 A. He also stated that he believed Mr. Ledvina smelled
9 like marijuana and was avoiding making contact with him.

10 Q. Did investigators ultimately obtain search warrants
11 for Mr. Ledvina's apartment, vehicle, and person?

12 A. Yes, we did.

13 Q. And were those warrants executed on August 11, 2022?

14 A. Yes, they were.

15 Q. And were they executed at Mr. Ledvina's residence on
16 30th Street Drive Southeast in Cedar Rapids, Iowa?

17 A. Yes, that's correct.

18 Q. Which, once again, is located in the Northern
19 District of Iowa?

20 A. Yes.

21 Q. Could you please describe how you made initial
22 contact with Mr. Ledvina when those warrants were
23 executed?

24 A. Yes, agents set up surveillance on the residence and
25 waited for Mr. Ledvina to arrive home. We observed his

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1 vehicle coming down the street. He parked in front of
2 his residence, at which point agents marked -- marked
3 agents made contact with him while he was still in his
4 vehicle and ordered him out of the vehicle. Initially,
5 he didn't comply. He kept reaching towards the
6 floorboard of the driver's seat. He then did open the
7 door and stepped out, but he left the vehicle in reverse.
8 It started to roll backwards. I jumped into the driver's
9 seat and put it in park. And as I did that, I noticed a
10 black handgun in a holster on the floorboard of the
11 driver's side.

12 Q. So after all that had taken place and the vehicle
13 was secured and Mr. Ledvina was secured, was that vehicle
14 fully searched?

15 A. Yes, it was.

16 Q. What, if anything, of evidentiary value was found
17 inside that vehicle?

18 A. The handgun, Mr. Ledvina's cell phone, I think a
19 small amount of marijuana, some partially smoked
20 marijuana.

21 Q. Was the marijuana found in the vehicle submitted to
22 the lab?

23 A. Yes, it was.

24 Q. Was that determined to be cannabis?

25 A. Correct.

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1 Q. What is cannabis?

2 A. A form of marijuana.

3 Q. Was Mr. Ledvina's residence also searched on that
4 date?

5 A. Yes, it was.

6 Q. Was there anything of evidentiary value found inside
7 of the residence?

8 A. Yes. Several additional firearms, ammunition,
9 firearms parts and accessories, a larger amount of
10 marijuana, and then approximately 2,000 suspected Xanax
11 pills.

12 Q. And you say "suspected Xanax pills." What do you
13 mean by that?

14 A. They were consistent with the appearance of Xanax
15 pills.

16 Q. Consistent like with color, with markings on the
17 pills, or --

18 A. Correct, yes.

19 Q. Kind of just talking about those pills first, were
20 those submitted to the lab for testing?

21 A. Yes, they were.

22 Q. Were though pills determined to be instrumentally
23 consistent with adinazolam?

24 A. Correct.

25 Q. Based on what you know, is adinazolam a controlled

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1 substance?

2 A. No.

3 Q. Was the suspected marijuana also submitted to the
4 lab for testing?

5 A. Yes, it was.

6 Q. And did that come back from the lab some of it being
7 cannabis, some of it being marijuana?

8 A. Correct.

9 Q. Could you describe some of the firearms that were
10 recovered from Mr. Ledvina's residence?

11 A. Yeah. There was an AK pistol, an IWI 5.56 rifle, a
12 Ruger 10/22 rifle, and then a 9x18 Makarov pistol.

13 Q. So in total, how many firearms were recovered from
14 his residence and his vehicle during those search
15 warrants on that date?

16 A. Five.

17 Q. Were there also large quantities of ammunition and
18 magazines throughout Mr. Ledvina's residence?

19 A. Correct.

20 Q. Did the search warrants on that date also authorize
21 investigators to collect a urine sample from Mr. Ledvina?

22 A. Yes.

23 Q. Did investigators collect a urine sample from
24 Mr. Ledvina?

25 A. Yes, we did.

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1 Q. And was his urine sent to the lab for testing?

2 A. It was.

3 Q. Did that testing confirm the presence of two cocaine
4 metabolites, as well as a THC metabolite?

5 A. Yes, it did.

6 Q. Specifically, did the testing confirm the presence
7 of benzoylecgonine, which is a metabolite of cocaine?

8 A. Correct.

9 Q. As well as ecgonine methyl ester, which is another
10 metabolite of cocaine?

11 A. Yes.

12 Q. And then, finally, 11-nor-9-carboxy-delta-9-
13 tetrahydrocannabinol, which is a metabolite of THC?

14 A. Yes.

15 Q. Based on your training and experience, if someone
16 has cocaine metabolites and THC metabolites in their
17 urine, what does that mean?

18 A. That would indicate that they had used cocaine and
19 marijuana.

20 Q. Were the firearms that were found inside
21 Mr. Ledvina's vehicle and residence on that date of the
22 search warrant analyzed by a special agent of the ATF to
23 determine if they were manufactured inside the state of
24 Iowa?

25 A. Yes, they were.

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1 Q. Were those firearms manufactured inside the state of
2 Iowa?

3 A. No.

4 Q. Were investigators able to speak with a cooperating
5 defendant concerning Mr. Ledvina?

6 A. Yes, they were.

7 Q. For purposes of this hearing, I'm just going to
8 refer to this person as Cooperating Defendant 1. Who
9 is -- without saying the name of the cooperating
10 defendant, who is Cooperating Defendant 1 to
11 investigators?

12 A. He is another cocaine distributor.

13 Q. Is it someone who has been charged federally and has
14 actually pled guilty to a federal cocaine offense?

15 A. Yes.

16 Q. Did Cooperating Defendant 1 know Mr. Ledvina?

17 A. Yes, he did.

18 Q. What did Cooperating Defendant 1 say to
19 investigators regarding Mr. Ledvina?

20 A. He told investigators that he had known Mr. Ledvina
21 for approximately a year before his arrest and that, in
22 that time, he knew Mr. Ledvina to be a distributor, as
23 well as a user, of cocaine and marijuana.

24 Q. Did Cooperating Defendant 1 detail an incident or a
25 time where that individual and Mr. Ledvina obtained a

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1 quantity of cocaine?

2 A. Yes, he stated that the cooperating defendant
3 himself, as well as another individual, and Mr. Ledvina
4 traveled to Des Moines to purchase, I believe it was, a
5 half kilo of cocaine.

6 Q. And that other individual that was mentioned, is
7 that another federal criminal defendant who had pled
8 guilty to a cocaine offense?

9 A. Correct.

10 Q. And I apologize if you said this already, but did
11 that Cooperating Codefendant [sic] 1 indicate whether or
12 not Mr. Ledvina distributed any drugs?

13 A. Yes, he said cocaine and marijuana.

14 Q. And did Cooperating Defendant 1 say anything about
15 whether or not Mr. Ledvina used controlled substances?

16 A. Yes, he stated that he used both.

17 Q. Did Cooperating Defendant 1 say anything to
18 investigators about pills?

19 A. Yes, he stated that Mr. Ledvina had purchased
20 approximately a thousand Xanax pills on the dark web.

21 Q. How did Cooperating Defendant 1 come to hear about
22 that information?

23 A. That information was told to him by the other
24 cooperating defendant.

25 Q. The other federal criminal defendant?

1 A. Yes, correct.

2 Q. Did Cooperating Defendant 1 mention an incident with
3 the defendant where defendant threatened someone with a
4 firearm?

5 A. Yes, he did.

6 Q. Could you generally talk about what Cooperating
7 Defendant 1 said?

8 A. He stated that Mr. Ledvina -- or, I'm sorry, that
9 another individual was having issues with the other
10 cocaine defendant, and that at a bar one evening, a
11 person that he knew as Alex threatened this other
12 individual with a firearm.

13 Q. Did investigators also have a chance to speak with
14 that individual who had been threatened, which I'll refer
15 to now as Cooperating Defendant 2?

16 A. Yes.

17 Q. And what did Cooperating Defendant 2 say to
18 investigators pertaining to that incident?

19 A. He also stated that, yes, he was having issues with
20 this other individual and that that individual's friend,
21 Alex, threatened him with a firearm.

22 Q. And just to be clear, is that a separate incident
23 than the April 2022 incident outside of the apartment
24 complex?

25 A. Yes, correct.

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1 MR. VANDER STOEP: I have no further questions
2 at this time, Your Honor. Thank you.

3 THE COURT: Thank you, Mr. Vander Stoep.
4 Ms. Araguás.

5 MS. ARAGUÁS: Thank you, Your Honor.

6 CROSS-EXAMINATION

7 BY MS. ARAGUÁS:

8 Q. Special Agent Friend, is it true that Mr. Ledvina
9 is -- in connection with the knocking on the door
10 incident, he's charged with just misdemeanor harassment
11 for that in state court? Is that fair to say?

12 A. Yes, I believe that's correct.

13 Q. And is that -- and this case is still pending,
14 right? There's not been a conviction?

15 A. I don't -- I don't know.

16 Q. Okay. And is that the extent of his criminal
17 charges or convictions as an adult?

18 A. I believe there was one other, maybe a disorderly
19 conduct.

20 Q. But nothing rising above a misdemeanor level in
21 state court?

22 A. No.

23 Q. You've mentioned -- you've been asked several times
24 about drugs in your testimony. Mr. Ledvina is not being
25 indicted for anything related to drugs, correct?

1 A. Drug user in possession of a firearm.

2 Q. That's fair to say; but he's not being indicted for
3 conspiracy, for possession, anything like that?

4 A. No.

5 Q. And he's not being charged in state court in
6 connection with any drugs that were found either,
7 correct?

8 A. Not that I'm aware of.

9 Q. And the 1,000 pills on the dark web, did you take
10 that to mean the -- apologize, I've never heard of the
11 kind of substance before -- but the sort of mystery pills
12 that were found during the search warrant?

13 A. Yes.

14 Q. And those were not a controlled substance, right?

15 A. No.

16 Q. So it would not be a crime to possess those?

17 A. No, not in federal court.

18 Q. When did law enforcement talk to I think we were
19 calling them Cooperating Defendant 1, the cocaine
20 distributor. Was that recent, after the execution of the
21 search warrants, or prior?

22 A. I'm sorry, could you -- can you repeat the question?

23 Q. Was it before or after the search warrants were
24 executed?

25 A. That he talked to --

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1 Q. That law enforcement talked to Cooperating Defendant
2 Number 1.

3 A. After.

4 Q. Okay. And when were the search warrants executed?

5 A. August 11, 2022.

6 Q. And Mr. Ledvina was just arrested this past week and
7 indicted, correct?

8 A. Correct.

9 Q. And during that time, were you surveilling him in
10 any way?

11 A. No.

12 Q. Were you aware that he was working full-time during
13 that time frame?

14 A. He had employment records that, yes, show that he
15 was working.

16 Q. Were you aware that he was, in fact, for the last
17 six weeks working at the Veterans Administration
18 Hospital?

19 A. I was not aware that he was working at that
20 location, no.

21 Q. Okay. But that doesn't mean that, you know, no one
22 in law enforcement was aware. It's just that you were
23 not aware.

24 A. Correct.

25 Q. Okay. And you said that, upon his arrest, he was

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1 bending down toward the floorboard. Does it seem
2 probable that he was disarming himself or taking off the
3 holster to get out of the vehicle without a firearm?

4 A. I couldn't tell from where I was standing at that
5 time what he was doing.

6 Q. You found a holstered weapon on the floor?

7 A. Correct.

8 Q. Driver's side floor of the vehicle?

9 A. Correct.

10 Q. Okay. Do you believe the search warrants in August
11 of last year were successful in getting all the guns
12 owned by Mr. Ledvina?

13 A. No.

14 Q. Where are the other guns?

15 A. That, we're not aware of. Several other firearms
16 have been recovered on other individuals.

17 Q. Has Mr. Ledvina -- do you have any indication that
18 he's possessed any guns since the August search warrants?

19 A. No.

20 Q. Do you have any indication he's done anything else
21 illegal since the August search warrants?

22 A. No.

23 Q. And, obviously, he was very aware of the search
24 warrants' execution, right? You described him being
25 present for the execution of the search warrants?

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1 A. Correct.

2 Q. And he, in fact, has filed some pro se pleadings in
3 those warrant cases, objecting to the issuance of the
4 search warrants, correct?

5 A. Correct.

6 Q. Has he left the jurisdiction or done anything in any
7 way to try to flee during this time period, between
8 August and the present?

9 A. Not that I'm aware of, no.

10 Q. Just to be clear, he also has no drug charges in the
11 past, correct?

12 A. Not that I know of.

13 Q. This is just a clarifying question, because I -- I
14 just didn't hear the date when it was stated, but when
15 was the trash pull done?

16 A. I will have to look at my report.

17 Q. I think you said December. Would that have been
18 December prior to the search warrants?

19 A. I don't believe it was December. It would have been
20 prior to the search warrant. Let's see, May possibly.

21 Q. May of last year. So a year ago?

22 A. Yeah, that's correct.

23 Q. Okay. So you were surveilling him for over a year
24 until his indictment arrest last week?

25 A. No, no. The case started in March of 2022, with the

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1 search warrant being executed in August. So between
2 March and August would have been the surveillance.

3 Q. Okay. I think it's just a matter of semantics. I'm
4 just saying that you did this trash pull -- thought there
5 was cause to do a trash pull in May of 2022, which is
6 over a year prior to his eventual arrest. Is that fair
7 to say?

8 A. Correct.

9 Q. Okay.

10 A. Yes.

11 Q. And he was not in custody on any unrelated charges
12 during that time?

13 A. No, not that I'm aware of.

14 Q. Are people who work at an FFL gun store -- do they
15 all have to be licensed and specially trained to work in
16 that type of environment?

17 A. Not every employee individually. Just the
18 responsible party, owner of the business.

19 Q. Were the reporting parties in this case the
20 responsible parties for these stores?

21 A. The -- if you are referring to the July incident,
22 the reporting party for Black Dog Guns, yes, was the
23 owner.

24 Q. And Second Amendment Company, was that an employee
25 or owner?

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1 A. He's an employee there. I'm not sure if he's listed
2 as another responsible party for that FFL or not.

3 Q. And just to be clear, FFL holders are not law
4 enforcement, right?

5 A. No.

6 Q. And they're not trained in any special ways to
7 identify drugs by smell as part of their training to get
8 a firearms license?

9 A. No.

10 Q. So when they say that he -- they smelled marijuana
11 on him, these are civilian people, who just happen to
12 have a firearms license, that say they smelled marijuana;
13 is that fair to say?

14 A. Yes.

15 MS. ARAGUÁS: Thank you. I have no further
16 questions.

17 THE COURT: Thank you, Ms. Araguás.

18 Mr. Vander Stoep.

19 MR. VANDER STOEP: Nothing further, Your Honor.
20 Thank you.

21 THE COURT: Agent, just a few questions. I
22 think you indicated to Ms. Araguás that you had some
23 evidence that the defendant may have purchased or was in
24 possession of other firearms. What can you tell me about
25 that?

1 THE WITNESS: Well, we identified approximately
2 15 firearms during the initial stages of the
3 investigation.

4 THE COURT: From what? Like FFL records?

5 THE WITNESS: Yes, from FFL records. You know,
6 this doesn't include private sales or anything like that.
7 And, you know, without contacting every FFL, you know, in
8 the state -- you know, that would be the only way to
9 determine, because there were additional firearms that
10 Mr. Ledvina purchased, and then five were recovered
11 during the search warrant.

12 THE COURT: Five of the 15 that you knew about?

13 THE WITNESS: Correct.

14 THE COURT: And what time period were the other
15 ten purchased in roughly?

16 THE WITNESS: I believe it was roughly 2022.
17 2022.

18 THE COURT: And none of the other ten were
19 found at Mr. Ledvina's residence?

20 THE WITNESS: No, they were not.

21 THE COURT: And you don't have any information
22 about where those other ten firearms might be?

23 THE WITNESS: Three of those additional ten
24 firearms had been recovered in -- in a separate ongoing
25 case.

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1 THE COURT: Anything further based on that,
2 Mr. Vander Stoep?

3 MR. VANDER STOEP: No, Your Honor.

4 THE COURT: Ms. Araguás?

5 MS. ARAGUÁS: Yes, Your Honor.

6 RE CROSS-EXAMINATION

7 BY MS. ARAGUÁS:

8 Q. Do you have any indication that Mr. Ledvina had
9 possessed any of those guns between the issuance of the
10 search warrant and now, or are you just saying that
11 they're just sort of missing in general?

12 A. Can you rephrase that?

13 Q. You searched his entire house, right?

14 A. Correct.

15 Q. You searched his entire car?

16 A. Correct.

17 Q. Is there a chance that some of these guns were sold
18 privately, or, you know, divested of lawfully?

19 A. That's a possibility.

20 Q. And you don't have any suspicion that he was
21 withholding some guns somehow and possessing them during
22 this time frame between August and now?

23 A. No, we don't have any indication of that, no.

24 Q. Okay. Thank you.

25 THE COURT: Thank you, Ms. Araguás.

1 You may be excused, Agent.

2 Mr. Vander Stoep, do you have any additional
3 evidence or a proffer that you'd like to make this
4 afternoon?

5 MR. VANDER STOEP: No, Your Honor. Just
6 argument.

7 THE COURT: Ms. Araguás, any evidence or
8 proffer?

9 MS. ARAGUÁS: We submitted several letters of
10 support on behalf of my client. I'd like to ask the
11 Court to admit those at this time.

12 THE COURT: Any objection?

13 MR. VANDER STOEP: Your Honor, just to make
14 sure that -- I am looking at document 15. I believe
15 those are the letters that are being referred to.

16 THE COURT: Is it document 15?

17 MS. ARAGUÁS: I apologize, I printed these
18 without the file stamp on them, Your Honor. There's --
19 I'm holding it up -- eight or nine letters. Yes, it
20 looks like there are seven letters. Yes, it is
21 document 15. Thank you.

22 MR. VANDER STOEP: No objection, Your Honor.

23 THE COURT: Those will be admitted.

24 (Whereupon, letters filed at Docket 15 was
25 received.)

1 THE COURT: Any additional evidence or proffer,
2 Ms. Araguás?

3 MS. ARAGUÁS: No additional evidence, Your
4 Honor. Just argument.

5 THE COURT: Then let's proceed with the
6 arguments. We can start with you, Mr. Vander Stoep.

7 MR. VANDER STOEP: Thank you, Your Honor. Your
8 Honor, when considering detention, the factors to be
9 considered can be found in Title 18 United States Code
10 Section 3142(g). The first factor is the nature and
11 circumstances of the offense charged. In this case, we
12 have a firearms offense, where Mr. Ledvina is alleged to
13 have possessed firearms while being an unlawful user of
14 controlled substances.

15 Your Honor, additionally, even though not charged,
16 individuals of law enforcement -- I'm sorry, individuals
17 have informed law enforcement that defendant was involved
18 in the sale and distribution of marijuana and cocaine.
19 And at the residence during the search warrant, there was
20 a quantity of marijuana and pills. Even though not
21 controlled pills, pills that were made to look like Xanax
22 were found at Mr. Ledvina's residence.

23 The second factor is the weight of the evidence
24 against the person. In this case, the government submits
25 that the weight of the evidence is strong. This was a

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1 search warrant at Mr. Ledvina's residence. Multiple
2 firearms were recovered at his residence, one of them in
3 the vehicle where he was seated at the time of the
4 execution of the warrants. There's also marijuana and
5 pills found inside of the residence. And a urine
6 specimen was also collected at the time of the search
7 warrants, which confirm the presence of cocaine and
8 marijuana metabolites.

9 In addition to the other charge in this case, the --
10 making a false statement on the gun form, again, the
11 officer has testified here today regarding being
12 contacted by one of the gun stores about how those
13 individuals in the store smelled the odor of marijuana on
14 Mr. Ledvina, and Mr. Ledvina had indicated that he was
15 not an unlawful user of controlled substances at the time
16 that he completed the purchase of that firearm on that
17 July 2022 date.

18 The third factor for the Court to consider is the
19 history and characteristics of the defendant. Your
20 Honor, the defendant's proposed release plan would place
21 him back at the same address where he possessed multiple
22 firearms. Defendant has reported very little work
23 history. He reported that he was unemployed prior to
24 2022 and would work -- occasionally would work odd jobs.
25 However, during that time period, defendant would have

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1 had to have been making money. He reported that his
2 current address has been his address for the past
3 two years, and he reported that his rent and monthly
4 expenses total approximately \$1,220 per month. Your
5 Honor, if the employment history doesn't really start
6 until 2022, the defendant would still have been
7 responsible for coming up with the money to pay for his
8 basic living necessities, rent and other living needs,
9 food, water, clothing. Consistent with what other
10 witnesses have said to law enforcement in this case, if
11 defendant was distributing cocaine and selling cocaine,
12 that would be one potential avenue as to how defendant
13 was making his money during that time if he did not have
14 reported employment.

15 Your Honor, the defendant also reported no history
16 of substance abuse. And to his father's knowledge in the
17 Pretrial Services Report, defendant had never used a
18 controlled substance. However, once again, individuals
19 reported to law enforcement that defendant was both a
20 user of cocaine and a user of marijuana. Additionally,
21 the urine testing taken from the defendant in this case,
22 once again, contained metabolites for both marijuana and
23 cocaine.

24 Your Honor, the defendant does not have much of a
25 prior criminal record concerning convictions. He appears

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1 to have been involved in a few fights when he was 18
2 years old. Also when he was 18, a vehicle he was driving
3 was stopped by law enforcement. He was given orders by
4 officers, but he refused to follow the officers'
5 directions, and instead was yelling at those officers.
6 During an inventory search of that vehicle, a silver
7 marijuana grinder was found in the center console, along
8 with cigars. Additionally, a digital scale was located
9 inside the trunk of that vehicle.

10 Your Honor, you heard testimony here today regarding
11 the April 24, 2022, incident. That is one of the current
12 pending charges that the defendant has in state court.
13 That incident, the defendant was banging on an apartment
14 door of an individual, other individuals were drawn to
15 the noise, observed the defendant there, and, as a
16 result, the defendant is alleged to have pulled the
17 firearm on those individuals and told them to mind their
18 own business. Investigators conducted a follow-up with
19 the individual who resided at that address in that
20 apartment. That individual told investigators that
21 Mr. Ledvina sold cocaine in the past, he purchased
22 cocaine from Mr. Ledvina in the past, indicated the type
23 of vehicle that Mr. Ledvina drove, indicated the area
24 where Mr. Ledvina lived, and provided the officers with
25 other pertinent information regarding that specific

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1 incident.

2 You also heard testimony here today from the officer
3 regarding cooperating defendants who have spoken to law
4 enforcement regarding another incident where the
5 defendant pulled a gun and threatened another individual,
6 who happens to be a separate -- another cooperating
7 defendant.

8 Your Honor, the fourth and final factor for the
9 Court to consider is the nature and circumstances of the
10 danger to any person or the community that would be posed
11 by the defendant's release. Your Honor, once again,
12 witnesses have stated that the defendant was involved in
13 the drug trade, specifically, selling cocaine and
14 marijuana. The drug trade, as this Court is well aware,
15 is dangerous business, and that danger is only amplified
16 with the presence of firearms. The defendant has
17 currently been charged with one instance in which he
18 pointed a firearm -- what appeared to be a firearm at
19 another person, and we've heard of a second potential
20 incident where he threatened someone with a firearm.
21 Your Honor, this threatening behavior with firearms is
22 very concerning.

23 This Court has also heard about the evidence in this
24 case indicating that defendant used both marijuana and
25 cocaine. And being under the influence of any substance

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1 while possessing a firearm at the same time is extremely
2 dangerous. A lapse in judgment or any impaired ability
3 whatsoever while handling a firearm could very easily
4 result in serious bodily injury or death.

5 Your Honor, this defendant poses both a flight risk
6 and a danger to the community. There's no condition or
7 combination of conditions that will reasonably assure his
8 appearance or the safety of the community. As such, the
9 United States requests that the defendant be detained.
10 Thank you.

11 THE COURT: Thank you, Mr. Vander Stoep.

12 Ms. Araguás.

13 MS. ARAGUÁS: Thank you, Your Honor. If there
14 are no conditions that could reasonably assure the safety
15 of the community or that my client will be present for
16 all of his court appearances, then how is he here today
17 when the search warrant was executed eight or nine months
18 ago at this point?

19 This defendant in particular is a hometown boy. He
20 graduated high school here. He has significant family
21 support. This was probably the most letters of support
22 that I've ever had for a detention hearing.

23 He was working full-time, until he was arrested last
24 week, including working at the Veterans Administration
25 Hospital, employment that requires drug testing, and

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1 working in IT there, in electrician work, delicate work,
2 for an institution that's housing a vulnerable population
3 of people.

4 We've heard so many proffered facts today about my
5 client's involvement in the drug trade. He has never
6 been charged in state court or in federal court with any
7 drug crime. Obviously, here, he's charged with
8 possession of a firearm by a drug user. He's not charged
9 with conspiracy. We hope that the Court will hold that
10 in mind in weighing that evidence regarding drug use or
11 especially allegations that he might have been
12 distributing.

13 He's 26 years old. This is a young man. I don't
14 think it strains credulity to think about people in their
15 early 20s maybe being supported by family, but in the
16 past couple of years, he has been lawfully employed. The
17 Court will note that one of the letters of support is
18 from an employer who said he would be eligible for
19 rehire. This is an employer who knows the charges to
20 which Mr. Ledvina is currently facing.

21 Mr. Ledvina has been participating in filing pro se
22 motions in his search warrant cases. He has an unusual
23 level of participation, but I mention that because he is
24 very aware -- this young man has been very aware that he
25 is probably in federal criminal trouble and has not left

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1 the jurisdiction. He has not broken any laws that a
2 special agent could testify to in the several months
3 since the search warrants were executed. There's no
4 indication that he currently possesses any firearms. The
5 pills found in his apartment were lawful to possess. His
6 criminal history is de minimis. And the harassment
7 charge from last year is being charged as a misdemeanor
8 and is still pending.

9 He could be released. He could return to work at
10 the cleaning service where he used to work. Probably the
11 Veterans Administration is out of the question since he
12 is facing federal charges, even though he is only
13 indicted and not convicted. But we -- we can concede
14 that probably he won't be allowed back at the VA, but our
15 understanding is that he could be allowed back at the
16 cleaning service. His mother and father live here. He
17 has substantial community support here. He's not going
18 anywhere.

19 The government's burden under 3150 -- 3142(f) is to
20 prove danger by clear and convincing evidence. The
21 government has not met its burden. This young man has
22 not been a danger to the community in the nine months
23 since the issuance of the search warrants. There is no
24 evidence that he would be a danger now. Thank you.

25 THE COURT: Thank you, Ms. Araguás.

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1 Mr. Ledvina, I will probably address you with most
2 of what I need to say here this afternoon. That doesn't
3 mean we're going to have a back and forth. If
4 Ms. Araguás wanted you to talk, she could have called you
5 to testify. I'm sure she doesn't want you to make
6 statements at this point. But the reason I want to talk
7 to you is I know these lawyers are experts at how this
8 works. It might be something that's new and different to
9 someone in your position.

10 One of the things I suppose that's obvious is that
11 this isn't your jury trial because we don't have a jury
12 with us today. It's less obvious maybe, but I always
13 think it's worth mentioning, that if you go ahead and
14 have a jury trial, that jury's never going to hear
15 anything I have to say about the strength of the evidence
16 against you or whether I think you pose a danger to the
17 community or risk of nonappearance. My job is just to
18 determine whether you need to be detained until we can
19 hold your trial. And to do that, I need to think about
20 all the factors that the government and the -- your
21 attorney have been talking about today to determine if
22 there's a condition or combination of conditions that can
23 reasonably assure that you'll appear as you are supposed
24 to and also assure the safety of the community.

25 The first is the nature and circumstances of the

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1 offense charged, including whether the crime involved
2 violence or a firearm. Obviously, we are talking about
3 firearms offenses here, the first being that you were
4 possessing -- in possession of a firearm by a drug user.
5 And the other one being that you made a false statement
6 when you were purchasing a firearm. These charges
7 themselves don't involve any evidence of violence, I'm
8 glad to say, except they do have some sort of troubling
9 circumstances surrounding them. The purchase of the -- a
10 firearm while you were potentially under the influence of
11 marijuana is troubling. The purchase of ammunition while
12 you were potentially under the influence of marijuana,
13 given that you were reported to have smelled of marijuana
14 when you were in the gun store, is troubling to me.
15 The -- and I understand that we're not here with respect
16 to whether you are guilty or not guilty of the harassment
17 charge that's still pending, but there is evidence
18 presented that is troubling with respect to that
19 allegation, that you had a firearm in your possession,
20 you were there apparently to collect on a drug debt, and
21 you were banging on your debtor's door, and a neighbor
22 noticed it and you made a gesture to or with that
23 firearm. That really troubles me, as did your resort
24 perhaps to a firearm as reported by a cooperating
25 defendant in another case. So while the nature and

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1 circumstances of the specific offenses charged don't have
2 those allegations, I am somewhat troubled by the ones
3 surrounding the investigation of you.

4 In terms of the weight of the evidence against you,
5 I find the weight of the evidence against you is strong.
6 The search warrant was executed. The firearms were
7 found. As a result of the testing, it was determined
8 that you had metabolites for both cocaine and marijuana
9 in your system. So it appears to me that you were both
10 in possession of a firearm while you were a drug user,
11 and you didn't tell the truth on your application for the
12 purchase. Again, the jury's not going to hear my view of
13 it, but for what it's worth in terms of our hearing
14 today, that's my view of the evidence.

15 I do want to say a little bit more about the search
16 warrant situation, a couple of things about that I find
17 troubling. One, your reaction to the presence of law
18 enforcement might be surprising or distressing, but
19 getting out of your vehicle and leaving it in reverse is
20 dangerous. Reaching for an area in your car, you know,
21 I -- I don't think the agent who testified said he could
22 tell what you were reaching for, but there does appear to
23 have been a firearm that was at least conceivably what
24 you were reaching for. That bothers me. And then, as my
25 questioning may have indicated to you, I'm bothered by

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1 the fact that there are a considerable number of other
2 firearms that you acquired at some point that weren't
3 recovered in the court's -- course of the search warrant
4 that are out there and unexplained. Again though, I take
5 Ms. Araguás's point that there's no evidence that you had
6 possession of those within the last several months.

7 Turning to your history and characteristics, I am
8 impressed by the number of letters and the quality of the
9 letters written on your behalf. You are a long-time
10 resident of the community. It's unfortunate about your
11 not having the job at the VA, though it appears that you
12 have job prospects. I do generally agree with the
13 government's representations regarding somewhat slim
14 history of employment over the last several years and at
15 least the distinct possibility that you were
16 supplementing your income with your involvement in the
17 drug trade.

18 I take Ms. Araguás's point that your criminal
19 history is very limited. The disorderly conduct charges
20 in Vinton, in Benton County, when you were 18 are odd.
21 Those aren't I think a bar to your being released, other
22 than to indicate to me that at least at one point you
23 were -- when you were 18, you did refuse to follow some
24 directions, were yelling at officers. I've already
25 talked about the pending charge and my concern about your

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1 behavior on that unresolved charge. And I am troubled,
2 of course, by the fact that there are firearms associated
3 with the drug trade here. That's always a dangerous
4 recipe. It does appear you were involved in the drug
5 trade, and those firearms weren't just locked at home in
6 a safe. They were things that, according to the
7 evidence, that you might use or take with you. You might
8 use or take with you while you were under the influence.

9 So based on the totality of the evidence before me,
10 I find the government has carried its burden of showing
11 by a preponderance of the evidence that the defendant
12 poses a risk of nonappearance and, by clear and
13 convincing evidence, that he poses a danger to the
14 community. I conclude there is no condition or
15 combination of conditions I could impose with which the
16 defendant would comply and appear as required at trial
17 and hearings in this matter and that would ensure the
18 safety of the community. I, therefore, order the
19 defendant be committed to the custody of the Attorney
20 General of the United States until trial in this matter.

21 Mr. Ledvina, you don't have to agree with my
22 decision today. You have a right to appeal it to the
23 district court judge who is assigned to your case. You
24 have 14 days from today to file that appeal, if you
25 discuss that with Ms. Araguás and you choose to do so.

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1 Do you understand your right to appeal my decision?

2 THE DEFENDANT: Yes, Your Honor.

3 THE COURT: Is there anything further on behalf
4 of the United States?

5 MR. VANDER STOEP: No, Your Honor.

6 THE COURT: Anything further on behalf of
7 Mr. Ledvina?

8 MS. ARAGUÁS: No, Your Honor.

9 THE COURT: All right. Thank you, all. That
10 will conclude our hearing.

11 (Proceedings concluded at 3:30 p.m.)

12 * * * * *

13 (This concludes the transcription of the audio
14 recording.)

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C E R T I F I C A T E

I, Patrice A. Murray, a Certified Shorthand Reporter of the State of Iowa, do hereby certify that at the time and place heretofore indicated, a hearing was held before the Honorable Mark A. Roberts; that I transcribed from an audio recording to the best of my ability the proceedings of said hearing; and that the foregoing transcript is a true record of all proceedings had on the taking of said hearing at the above time and place.

I further certify that I am not related to or employed by any of the parties to this action, and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

IN WITNESS WHEREOF, I have set my hand this 3rd day of July, 2023.

/s/ Patrice A. Murray

Patrice A. Murray, CSR, RMR, FCRR
Court Reporter
PO Box 10541
Cedar Rapids, Iowa 52410

I certify that the foregoing is a correct copy of the transcript originally filed with the Clerk of Court at Docket #19, incorporating requested redactions of personal identifiers and any other redactions ordered by the Court, in accordance with Administrative Order 08-AO-0009-P.

/s/ Patrice A. Murray

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