

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CR08-302 PAM/FLN**

United States of America,

Plaintiff,
vs.

**NOTICE OF MOTION AND MOTION
TO APPEAL DETENTION ORDER**

Michael Catain,

Defendant.

The Defendant, Michael Catain, through his attorney, Michael J. Colich, respectfully moves to appeal the United States Magistrate Order of Detention dated January 30, 2009 and to reinstate Mr. Catain's bond with appropriate conditions.

This motion is based upon the supporting memorandum and all the files, records and proceedings herein.

Dated: February 4, 2009

Respectfully submitted,

COLICH & ASSOCIATES

/s/ Michael J. Colich

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Attorney for Defendant