

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 06-51489
USDC No. 3:05-CR-856-1

U.S. COURT OF APPEALS

FILED

FEB 22 2007

CHARLES R. FULBRUGE III
CLERK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

IGNACIO RAMOS; JOSE ALONSO
COMPEAN,

Defendants-Appellants.

Appeal from the United States District Court
for the Western District of Texas

O R D E R:

Ignacio Ramos and Jose Alonso Compean have both filed in this court an application for release pending appeal from their judgments of conviction and sentence. See 18 U.S.C. § 3143(b), § 3145(c). The appellants argue that they have shown exceptional reasons why their detention would be inappropriate. The appellants have not shown unique or unusual circumstances that justify their release based on an exceptional reason. United States v. DiSomma, 951 F.2d 494, 496 (2d Cir. 1991), Koon v. Powell, 6 F.3d 561, 563 (9th Cir. 1993).

IT IS ORDERED that the applications of Ramos and Compean for release pending appeal from their judgments of conviction and sentence are DENIED. This order neither makes nor intimates any

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determination whether the appellants will ultimately succeed on appeal.

The motion of Ramos to seal his appeal of the district court's denial of bond pending appeal and/or the memorandum in support of the motion for release pending appeal is GRANTED. The motion of the Government to seal its response to the appellants' motions for release pending appeal is GRANTED.

/s/ Fortunato P. Benavides
FORTUNATO P. BENAVIDES
UNITED STATES CIRCUIT JUDGE