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**CLERK, U.S. DISTRICT COURT  
MINNEAPOLIS, MINNESOTA**

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Cr. No. 08-MJ-364 (FLN)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>MOTION OF UNITED STATES</b>
	)	<b>FOR DETENTION WITHOUT</b>
THOMAS JOSEPH PETERS,	)	<b>BAIL PENDING TRIAL AND</b>
	)	<b>CONTINUANCE OF DETENTION</b>
Defendant.	)	<b>HEARING</b>

The United States of America, by its attorneys, Frank J. Magill, Jr., United States Attorney for the District of Minnesota, and John R. Marti, Assistant United States Attorney, moves for the detention of the defendant without bail pending trial on the following grounds:

1. Under Title 18, United States Code, Section 3142(f)(2)(A), there is a serious risk that defendant will flee.

2. Under Title 18, United States Code, Section 3142(F) there is no condition or combination of conditions of release in Title 18, United States Code, Section 3142(c) which will reasonably assure the safety of the community and the appearance of the defendant as required.

3. As described in the complaint in this matter, the defendant is the lead person responsible for a fraud scheme resulting in a loss to numerous investors collectively of over \$1 billion, and perhaps substantially more. The defendant repeatedly admitted his culpability during recordings obtained during the investigation, and further admitted culpability when interviewed by

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FBI agents on September 24, 2008, at the Bellagio Hotel, Las Vegas, Nevada. The government believes that the advisory guideline range for the defendant's offenses is life in prison.

4. In the recordings the defendant also discussed fleeing the country. The defendant further stated that he did not intend to be in the country by the time of the presidential debates. The search warrant was executed on September 24, 2008, and the first presidential debate was September 26, 2008.

5. Despite being represented by counsel, the defendant has continued to contact witnesses and subjects in this case after the execution of the search warrant. The defendant has encouraged at least one subject (a potential witness against the defendant) to flee the jurisdiction of the United States prior to trial to a place where the subject was not subject to extradition. Furthermore, the defendant encouraged the subject to obtain false identification through internet web sites, and intimated that he (Petters) had false identification.

6. On about October 1, 2008, the defendant stated that the co-defendant in this case, Larry Reynolds, was going to flee the jurisdiction of the United States. At the time, Mr. Reynolds was present in Minnesota and staying at a hotel with a stated departure date of October 10, 2008. Mr. Reynolds was scheduled to appear and provide testimony on October 6, 2008. On October 2, 2008, Mr. Reynolds cut short his stay, left the state of Minnesota and traveled to California.

7. A preliminary review of telephone records confirms that the defendant has had numerous phone calls with Reynolds in the time between the search warrant and his arrest this morning.

8. The United States respectfully requests a three-day continuance of the detention hearing, pursuant to Title 18, United States Code, Section 3142(f).

Dated: October 3, 2008

FRANK J. MAGILL, JR.  
United States Attorney

A handwritten signature in black ink, appearing to read "John R. Marti", with a long horizontal line extending to the right.

BY: John R. Marti  
Assistant U.S. Attorney