

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

United States of America :  
 :  
v. : Case No. 3:07cr134 (JBA)  
 :  
Ionia Management S.A., et al. :

ENDORSEMENT ORDER ON MOTIONS FOR RELEASE [DOCS. ## 19, 28, 41]

Various individuals/potential witnesses in this case have filed Petitions/Motions [Docs. ## 19, 28, 41] seeking release from their purported detention pursuant to an agreement entered into between their employer, KRITON Maritime, S.A. and its operator defendant Ionia Management, S.A., on the one hand, and the Government, on the other. Petitioners contend they are "de facto" material witnesses and that their continued detention violates their constitutional rights.

As set forth on the record of July 13, 2007, these individuals do not constitute material witnesses pursuant to 18 U.S.C. § 3144 as no affidavit nor request to treat them as such has been made.<sup>1</sup> They also are not being detained; although they claim they are being held against their will pursuant to an agreement between their employer and the Government, they remain

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<sup>1</sup> 18 U.S.C. § 3144 provides, inter alia, "[i]f it appears from an affidavit filed by a party that the testimony of a person is material in a criminal proceeding, and if it is shown that it may become impracticable to secure the presence of the person by subpoena, a judicial officer may order the arrest of the person and treat the person in accordance with the provisions of section 3142 of this title."

