

April 21, 2005

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 04-20916
Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

HOGAN TEBBS BROOKS,

Defendant-Appellant.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:04-CR-390-ALL

Before JONES, BARKSDALE, and PRADO, Circuit Judges.

PER CURIAM:*

Hogan Tebbs Brooks appeals the district court's denial of his motion to review or revoke an order of pretrial detention. We remanded the case to the district court for the limited purpose of rendering reasons for its denial. The district court issued an order setting forth its factual findings and its conclusion that Brooks should be detained because he is charged with a crime of violence and he poses both a flight risk and a danger to the community.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

We review the order issued by the district court, not that of the magistrate judge. United States v. Westbrook, 780 F.2d 1185, 1188 n.4 (5th Cir. 1986). Absent an error of law, this court will uphold a district court's pretrial detention order if it is supported by the proceedings below. United States v. Rueben, 974 F.2d 580, 585 (5th Cir. 1992).

The district court's ruling is supported by the record. See United States v. Hare, 873 F.2d 796, 798 (5th Cir. 1989). The pretrial detention order is AFFIRMED.