

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

April 25, 2019

Lyle W. Cayce  
Clerk

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No. 19-40193  
Summary Calendar

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UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

HEON JONG YOO, also known as Hank Yoo,

Defendant-Appellant

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 6:18-CR-16-1

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Before KING, SOUTHWICK, and ENGELHARDT, Circuit Judges.

PER CURIAM:\*

Heon Jong “Hank” Yoo appeals the district court’s denial of his motion for release on bail pending his sentencing for making false statements to federal firearms dealers and being a prohibited person in possession of several firearms. The district court deemed Yoo a flight risk and a potential danger to others. Unless there is clear and convincing evidence that Yoo presents no risk of danger or flight, presentence detention is mandated. *See* 18 U.S.C.

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

No. 19-40193

§ 3143(a). We review the district court’s ruling for abuse of discretion. *See United States v. Olis*, 450 F.3d 583, 585 (5th Cir. 2006).

Yoo fails to show by clear and convincing evidence that he is not a flight risk. Moreover, the evidence strongly supports the finding that he presents a risk of danger. Trial evidence established that Yoo was twice involuntarily committed to mental hospitals because he presented a risk of danger to others. In addition, the presentence report noted that Yoo was involuntarily admitted to a mental institution after a Texas Ranger expressed concerns that Yoo intended to act violently. Further, Yoo was arrested, though not prosecuted, after police responded to reports of an aggravated assault and found that Yoo and three other men had “traveled to a residence while ‘armed to the teeth’ seeking a confrontation” with someone who had allegedly assaulted two of the other men.

The district court did not abuse its discretion by denying release on bail pending sentencing. That ruling is AFFIRMED. To the extent Yoo moves this court to grant bail under Federal Rule of Appellate Procedure 9(b), the motion is DENIED.