

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (CINCINNATI)**

UNITED STATES OF AMERICA,	:	Case No. 1:25-cr-00040-JPH-12
	:	
Plaintiff,	:	District Judge Jeffery P. Hopkins
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
PATRICK C. NAYLOR,	:	
	:	
Defendant.	:	

**ORDER REVOKING BOND AND REMANDING DEFENDANT TO THE
CUSTODY OF THE U.S. MARSHAL**

This case came before the Court on April 16, 2026 for a bond violation hearing. Through his counsel, Defendant Patrick Naylor admitted the violations set forth in the Bond Violation Report and Petition dated February 6, 2026 and the Bond Violation Addendum dated March 3, 2026. The Court questioned the Pretrial Services Officer and heard argument from counsel for the Government and Defendant. For the reasons set forth below, the Court revokes Defendant's bond and orders him detained pending trial.

I. LEGAL STANDARD

"A person who has been released under [18 U.S.C. § 3142], and who has violated a condition of his release, is subject to a revocation of release, an order of detention, and a prosecution for contempt of court." 18 U.S.C. § 3148(a). The Government may file a motion to revoke a defendant's release. 18 U.S.C. § 3148(b). If, as in this case, the Government has not filed such a motion, the Court nevertheless has the inherent power to

reconsider its order to release a defendant prior to trial. *U.S. v. Angiulo*, 755 F.2d 969, 973 (1st Cir. 1985), *cited in* 3B Charles Alan Wright & Peter J. Henning, *Federal Practice & Procedure: Criminal* § 773, at 270 n.1 (3rd ed. 2013).

When considering whether to modify or revoke Defendant's bond, the Court applies the following test:¹

The judicial officer ***shall*** enter an order of revocation and detention if, after a hearing, the judicial officer—

(1) finds that there is—

- (A) probable cause to believe that the person has committed a Federal, State, or local crime while on release; or
- (B) clear and convincing evidence that the person has violated any other condition of release; ***and***

(2) finds that—

- (A) based on the factors set forth in [18 U.S.C. § 3142(g)],² there is no condition or combination of conditions of release that will assure that the person will not flee or pose a danger to the safety of any other person or the community; or

¹ On its face, this statutory provision does not apply because the Government did not move to revoke Defendant's release. *See* 18 U.S.C. § 3148(b) ("The attorney for the Government may initiate a proceeding for revocation of an order of release by filing a motion with the district court") However, because there is no functional difference between ruling on the Government's motion and exercising the Court's inherent power, and because doing so will further Congress's intent in enacting this statutory provision, the Court elects to apply the test set forth in 18 U.S.C. § 3148(b) when reconsidering its prior order to release Defendant.

² These factors are: (1) the nature and circumstances of the charged offense; (2) the weight of the evidence of risk of flight or dangerousness; (3) the person's history and characteristics, which include but are not limited to character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, record concerning appearance at court proceedings, and whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under Federal, State, or local law; and (4) the nature and seriousness of the danger to any person or the community that would be posed by the person's release. 18 U.S.C. 3142(g); *U.S. v. Stone*, 608 F.3d 939, 948 (6th Cir. 2010).

- (B) the person is unlikely to abide by any condition or combination of conditions of release.

If there is probable cause to believe that, while on release, the person committed a Federal, State, or local felony, a rebuttable presumption arises that no condition or combination of conditions will assure that the person will not pose a danger to the safety of any other person or the community.

18 U.S.C. § 3148(b) (emphasis added). Conversely, the Court should deny the petition to revoke Defendant's bond if it finds that the conditions of release, which may be amended, "will assure that the person will not flee or pose a danger to the safety of any other person or the community, and that the person will abide by such conditions." *Id.*

II. FINDINGS OF FACT

Based upon its review of the record, including the statements made during the bond revocation hearing, the Court makes the following findings of fact.

In April 2025, a grand jury of the United States District Court for the Southern District of Ohio indicted Defendant and several co-defendants on one count of conspiracy to create and distribute animal crush videos, in violation of 18 U.S.C. § 371.

Defendant, who lives in North Carolina, was arrested and appeared in the United States District Court for the Middle District of North Carolina, Case No. 1:25-mj-156. During a detention hearing held by U.S. Magistrate Judge Joi Peake, the Government agreed to withdraw its motion for detention. Defendant was released from custody after agreeing "to obey all conditions of release," which included a requirement not to violate any federal, state, or local law while on release. (Doc. No. 33, PageID# 189.)

On May 23, 2025, Defendant appeared in this Court for an initial appearance held before U.S. Magistrate Judge Stephanie Bowman. Judge Bowman modified Defendant's conditions of pretrial release by, among other things, requiring Defendant to participate in a program of inpatient or outpatient substance abuse treatment, as directed by the Pretrial Services Office.

On July 18, 2025, a U.S. Pretrial Services Technician submitted a bond violation report and petition for action to this Court. The petition noted that Defendant had been charged with Second Degree Trespass and requested that his bond conditions be amended to direct him to stay away from a particular home. This Court amended Defendant's bond conditions accordingly. (Doc. No. 114 (under seal).)

On November 14, 2025, a U.S. Pretrial Services Technician was notified that Defendant had sent threatening text messages to a female friend on November 11, 2025. She advised the Court of this incident and recommended that Defendant be required to participate in mental health treatment and only be permitted to use computers, connected devices, and/or the Internet for legitimate and necessary purposes preapproved by Pretrial Services. This Court amended Defendant's bond conditions accordingly. (Doc. No. 149 (under seal).)

On December 31, 2025, a U.S. Pretrial Services Technician advised the Court that Defendant admitted to using methamphetamine on December 9, 2025. She requested that the Court take no action, and the Court concurred. (Doc. No. 153 (under seal).)

On January 14, 2026, Defendant tested positive for methamphetamine, cocaine, marijuana and ecstasy, and admitted to a U.S. Pretrial Services Officer that he had used

illicit substances. The Pretrial Services Officer directed Defendant to enroll in an inpatient substance abuse treatment program by January 23, 2026. After Defendant missed that deadline, the Pretrial Services Officer extended it to February 4, 2026, and advised Defendant that if he did not enroll by that date, she would conduct a home visit at 12:00 p.m. on February 4 and collect a urinalysis sample. (Doc. No. 156-1 (under seal).)

Defendant failed to enroll in an inpatient substance abuse treatment program by February 4, 2026. The Pretrial Services Officer conducted the promised home visit, but Defendant was not at his residence. She made multiple calls to Defendant while she was at his residence, but he did not answer her calls. Defendant later stated that he had been at a friend's house without his telephone and without the ability to get a ride back home. As of February 6, 2026, Defendant had not enrolled in an inpatient treatment program. Based on these facts, a U.S. Pretrial Services Technician asked the Court to issue an arrest warrant for Defendant to appear in Court and show cause why his bond should not be revoked. (Doc. No. 156-1 (under seal).) The Court concurred with the recommendation and issued an arrest warrant on February 9, 2026. (Doc. No. 157 (under seal).)

Several days later, Defendant was arrested and appeared before U.S. Magistrate Judge L. Patrick Auld in the United States District Court for the Middle District of North Carolina, Case No. 1:26-mj-47. Judge Auld held a detention hearing and ordered that Defendant be detained pending his appearance in this Court. After reviewing the facts described above, Judge Auld concluded:

Although the defendant does not dispute the foregoing, he nevertheless asserts that he will now enroll in residential substance abuse treatment.... Even if the defendant's mother transported him directly to that substance

abuse treatment program, however, nothing would prevent the defendant from immediately leaving the program. The defendant has demonstrated his unwillingness to cease using illicit substances and has repeatedly rebuffed the Probation Officer's attempts to work with him. The record reveals no reason to believe that the defendant will now begin complying with his obligations.

M.D.N.C. Case No. 1:26-mj-47, Doc. No. 6, p.3.

On March 3, 2026, a U.S. Pretrial Services Technician advised the Court that computer monitoring between February 11, 2026 and February 17, 2026 had revealed communications in which Defendant discussed obtaining illicit drugs. Further, on February 17, 2026, Defendant provided documentation to a U.S. Pretrial Services Officer that showed he admitted himself to an inpatient treatment program on February 13, 2026. However, Defendant checked himself out of the treatment program the same day, after remaining only several hours, against medical advice. Finally, when Defendant was arrested and booked into jail, he was found to be in possession of a bottle of urine.

During the bond revocation hearing held on April 16, 2026, Defendant admitted to committing the following bond violations:

- Mr. Naylor tested positive for illicit substances on January 14, 2026. Mr. Naylor was directed by his U.S. Pretrial Officer to enter inpatient substance abuse treatment; however, he failed to report to inpatient treatment on two occasions. (Doc. No. 156 (under seal).)
- Mr. Naylor has violated his conditions of release by continuing to use his monitored device for purposes which are not legitimate and necessary and

continuing to be non-compliant with the treatment recommendations. (Doc. No. 156-2 (under seal).)

In light of the foregoing facts, the Court finds that there is probable cause to believe that Defendant committed one or more Federal, state or local crimes, including drug offenses, while on pretrial release.

The Court further finds that there is clear and convincing evidence that Defendant violated three conditions of release, namely: (1) a prohibition on the use or unlawful possession of a narcotic drug or other controlled substance; (2) the requirement to participate in a program of inpatient or outpatient substance use treatment, as directed; and (3) the restriction that he only use computers, connected devices, and/or the Internet for legitimate and necessary purposes preapproved by Pretrial Services.

III. CONCLUSION

Based on the factors set forth in 18 U.S.C. § 3142(g) and taking into account Defendant's repeated failures to abide by the conditions of his pretrial release, despite being given multiple chances to do so, the Court finds that Defendant is unlikely to abide by any condition or combination of conditions of release. Further, given the nature of the offense charged and Defendant's demonstrated unwillingness to comply with this Court's release conditions, the Court further finds that no condition or combination of conditions of release will reasonably assure that Defendant will not pose a danger to the safety of other persons or the community if he is released from detention.

Accordingly, it is hereby **ORDERED** that:

- 1) Defendant's bond is revoked and Defendant shall be remanded to the custody of the U.S. Marshal;
2. Defendant shall be committed to the custody of the Attorney General of the United States for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 3) Defendant shall be afforded reasonable opportunity for private consultation with counsel; and
- 4) On Order of a Court of the United States, or upon request of an attorney for the United States, the person in charge of the facility in which Defendant is confined shall deliver Defendant to a United States Marshal or his deputy for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

April 16, 2026
Date

s/Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge

Any party may file and serve on the opposing party a motion for revocation or amendment of this Order with a United States District Judge. 18 U.S.C. § 3145(b). A defendant who files a motion for revocation or amendment must arrange for a transcript of the detention hearing. This Order is in full force and effect, notwithstanding the filing of a motion for revocation or amendment, unless it is stayed by the Magistrate Judge or District Judge.