

ENTRY ORDER

SUPREME COURT DOCKET NO. 2006-367

SEPTEMBER TERM, 2006

State of Vermont	}	APPEALED FROM:
	}	
	}	
v.	}	District Court of Vermont,
	}	Unit No. 2, Rutland Circuit
Demetrius Manassa	}	
	}	DOCKET NO. 1401-8-06 Rdcr

In the above-entitled cause, the Clerk will enter:

Defendant Demetrius Manassa appeals from the district court=s order imposing bail of \$75,000 cash or surety. At defendant=s arraignment on August 22, 2006, the court set bail at \$150,000 without hearing. Upon motion by the defendant, the court reduced bail to \$75,000 cash or surety following a hearing on August 28, 2006. Pursuant to this court=s authority under 13 V.S.A. ' 7554, defendant now appeals that orderCclaiming excessive bail in violation of the Vermont Constitution, Chapter II, ' 40Cand asks the Court to reduce bail to \$1,000 cash or surety.

This court must affirm the district court order Aif it is supported by the proceedings below@ 13 V.S.A. ' 7556(b). Upon review of the record, the Court agrees with the lower court=s determination that defendant is a flight risk, but finds that \$75,000 bail is excessive given defendant=s age, his lack of criminal record, and the single charge of possession against him in this matter. Based on the record and attorney=s representations on appeal, the Court reverses the district court=s order in part and finds that a reduced bail of \$25,000 is sufficient to ensure defendant=s future appearance.

Bail is reduced to \$25,000 cash or surety with all other conditions of release set by the district court to remain in place.

FOR THE COURT:

Denise R. Johnson, Associate Justice