

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 26-3028

September Term, 2025

1:25-cr-00069-RCL-1

Filed On: August 31, 2026

United States of America,

Appellee

v.

Erlend Olson,

Appellant

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

BEFORE: Wilkins, Walker, and Garcia, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the memoranda of law and fact filed by the parties. The court has determined that the issues presented occasion no need for an opinion. See D.C. Cir. Rule 36. It is

ORDERED AND ADJUDGED that the district court's June 15, 2026 order, which denied appellant's motion to reconsider the court's April 9, 2025 order directing that he be detained pending trial, be affirmed. Appellant has not demonstrated that the court clearly erred in again finding that no condition or combination of conditions would reasonably assure his appearance as required. See United States v. Hale-Cusanelli, 3 F.4th 449, 454-55 (D.C. Cir. 2021); 18 U.S.C. § 3142(e).

First, the district court did not clearly err in finding that the nature and circumstances of the charged offenses favor detention. 18 U.S.C. § 3142(g)(1). The charged offenses involve deceitful conduct and, if convicted, appellant faces the possibility of a term of imprisonment for life. See United States v. Patel, No. 23-3082, 2023 WL 5046992, at *1 (D.C. Cir. Aug. 8, 2023) (per curiam) (affirming detention order based on flight risk where charged offenses involved deceptive means, and stating that possibility of substantial prison term weighs in favor of detention). Moreover, appellant knew during the 2025 detention hearing that this case would require lengthy pretrial proceedings, and he has not shown that any changed circumstances regarding the

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parties' discovery disputes materially affect the flight-risk assessment. See 18 U.S.C. § 3142(f)(2) (stating that court may reopen detention hearing if it finds that "information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance" of the defendant).

As to the weight of the evidence, the district court did not clearly err in finding that the proffered evidence against appellant is strong. Additionally, appellant has not shown that the district court erred in how much weight it gave to this factor. Id. § 3142(g)(2).

The district court also did not clearly err in concluding that appellant's history and characteristics favor detention. Id. § 3142(g)(3). Given the records submitted by appellant in the district court, appellant has not shown that the court clearly erred in finding that appellant violated previous terms of probation and that these violations suggest that appellant would not comply with release conditions in this case. Additionally, appellant has not shown that the district court clearly erred in concluding that his financial resources and lack of stable employment before his arrest weigh in favor of a finding of a flight risk. The district court also did not clearly err in concluding that appellant's St. Kitts and Nevis citizenship, combined with his prior communications regarding evading travel restrictions, create a flight risk. Moreover, the court did not clearly err in concluding that appellant's health conditions do not warrant release, in light of the other factors favoring detention.

Next, the district court did not err in considering the nature and seriousness of the danger posed by release. See id. § 3142(g) (requiring courts to assess danger posed by release when "determining whether there are conditions of release that will reasonably assure the appearance of the person as required and the safety of any other person and the community"); see also United States v. Vasquez-Benitez, 919 F.3d 546, 550-51 (D.C. Cir. 2019) (addressing each of the § 3142(g) factors, including the nature and seriousness of the danger posed, when discussing whether a defendant was a flight risk). And appellant has not shown that the district court clearly erred in concluding that his release would pose a danger of witness tampering. See Hale-Cusanelli, 3 F.4th at 455 ("Where there are two permissible views of the evidence, the factfinder's choice between them cannot be clearly erroneous.") (cleaned up).

Finally, given that the district court did not clearly err by finding that no condition or combination of conditions would reasonably assure appellant's appearance as required, the court was not required to make further specific findings on the record with

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respect to the likely effectiveness of the release conditions proposed by appellant. See, e.g., United States v. Quaglin, 851 F. App'x 218, 219 (D.C. Cir. 2021) (per curiam).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:

Clifton B. Cislak, Clerk

BY: /s/
Daniel J. Reidy
Deputy Clerk