

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 26-3032**

**September Term, 2025**

**1:26-cr-00113-DLF-1**

**Filed On: August 31, 2026**

United States of America,

Appellee

v.

Gerald Cook,

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 pretrial detention order entered on June 22, 2026, be affirmed. “To justify detention on the basis of dangerousness, the government must prove by ‘clear and convincing evidence’ that ‘no condition or combination of conditions will reasonably assure the safety of any other person and the community.’” United States v. Munchel, 991 F.3d 1273, 1279-80 (D.C. Cir. 2021) (quoting 18 U.S.C. § 3142(f)). In view of the district court’s entire ruling, appellant has not shown that the court improperly shifted the burden of proof to appellant, or required him to show to an absolute certainty that the community would be safe if he were released. In addition, appellant has not shown that the district court relied on a view that any defendant’s mere possession of a firearm inherently poses a danger to the public. Rather, the district court concluded that the nature of the charged offenses in this case, which also involved assault with a firearm, favored detention.

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Finally, appellant has not shown that the district court clearly erred in determining that no condition or combination of conditions of release would reasonably assure the safety of the community. See Munchel, 991 F.3d at 1282. The district court considered appellant's efforts to rebuild his life in the years since his release from prison, the support of his friends and family, and the instances of his compliance with court orders. However, the district court also considered, among other factors, the nature of the charged offenses, which evidenced significant disregard for the law, as well as appellant's prior criminal history and his apparent access to firearms to conclude that release conditions would be insufficient. Appellant has not shown that this conclusion was improperly based on speculation or was otherwise clearly erroneous.

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