

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

WILLIAM GARFIELD BILBROUGH, IV,

Defendant.

Criminal Action No. TDC-20-0033

MEMORANDUM ORDER

On January 22, 2020, United States Magistrate Judge Timothy J. Sullivan ordered Defendant William Garfield Bilbrough, IV detained pending trial based on the finding that, pursuant to 18 U.S.C. § 3142(e), no condition or combination of conditions of release would reasonably assure the appearance of the defendant as required and the safety of the community pending trial. After Magistrate Judge Sullivan denied two Motions for Review of the Detention Order based on changed circumstances, ECF Nos. 47, 69, Bilbrough filed the pending Appeal from the Denial of the Defendant's Motion to Vacate Detention Order, ECF No. 77, which seeks review by the district judge pursuant to 18 U.S.C. § 1345(b). The Motion is fully briefed, and the Government has filed a Motion for Leave to File a Surreply, ECF No. 88. Because Bilbrough's reply brief asserted new arguments not raised in the original Motion, the Government's Motion will be granted and the Court will consider the surreply brief.

The Court is required to conduct a *de novo* review of the Magistrate Judge's ruling. *United States v. Stewart*, 19 F. App'x 46, 48 (4th Cir. 2001) (citing *United States v. Rueben*, 974 F.2d 580, 585-86 (5th Cir. 1992)). Having reviewed the recording of the two prior detention hearing on January 22, 2020 and March 4, 2020, considered the Indictment and the pretrial services report, reviewed the submitted briefs and exhibits on the present and all prior detention motions, and

involve crimes of violence, firearms charges, or drug trafficking charges. The maximum term of imprisonment on the conspiracy charges is ten years, while the maximum term of imprisonment on the transporting and harboring charges is five years.

However, the circumstances of these charges are more troubling. The alien at issue was co-defendant Patrick Jordan Mathews, a Canadian who entered the United States illegally after a search warrant was executed at his residence. In August 2019, Bilbrough and co-defendant Brian Mark Lemley, Jr. drove from Maryland to Michigan to transport Mathews back to the Maryland area and beyond. All three co-defendants were associated with The Base, a white supremacist group that organized military-style training camps, supports the overthrow of the United States government and the creation of a white ethno-state, and espouses the commission of acts of violence against minority communities. In November 2019, all three co-defendants were at a Base training camp in Georgia, and Lemley and Bilbrough purchased over 1,500 round of ammunition before all three drove back to Maryland. That month, Lemley and Mathews began to construct an assault rifle, which Bilbrough handled when they met together in December 2019. Over the next month, Lemley and Mathews took additional steps as part of a plan to use the firearm to commit acts of violence at a January 20, 2020 public event in Richmond, Virginia before they were arrested on January 16, 2020. Thus, although the specific statutory charges are not overtly serious, and Bilbrough is not charged with firearms offenses and apparently did not participate in the plans relating to the Virginia event, his criminal activity facilitated the potentially violent plans of Lemley and Mathews by helping to transport Mathews, a fellow member of the Base, into the United States and back from a Base training camp in Georgia, which led to the construction of the assault rifle of which Bilbrough was aware.

Accordingly, it is hereby ORDERED that:

1. The Government's Motion for Leave to File a Surreply, ECF No. 88, is GRANTED.
2. Bilbrough's Appeal from the Denial of the Defendant's Motion to Vacate Detention Order, ECF No. 77, is DENIED.
3. The Magistrate Judge's detention order is AFFIRMED.

Date: April 7, 2020

/s/ Theodore D. Chuang
THEODORE D. CHUANG
United States District Judge