

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

UNITED STATES OF AMERICA)	
)	
v.)	Docket No. 5:19-cr-126-gwc
)	
PAUL BATEMAN,)	
Defendant.)	

MOTION FOR DETENTION

NOW COMES the United States of America, by and through its attorney, Nikolas P. Kerest, United States Attorney for the District of Vermont, and moves for pretrial detention of the above-named defendant pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility for Detention. This defendant is eligible for detention because the case involves an offense under the Controlled Substances Act for which a maximum term of imprisonment of ten years or more is prescribed. *See* 18 U.S.C. § 3142(f)(1)(C). The case also involves a serious risk that defendant will flee. *See* 18 U.S.C. § 3142(f)(2)(A).

2. Reasons For Detention. The Court should detain the defendant because there are no conditions of release which will reasonably assure the defendant’s appearance as required and the safety of any other person and the community.

Bateman is a citizen of the United Kingdom, although he appears to have only limited ties there. He was arrested in Laos in or about April 2022 based on a red notice submitted by the United States. Investigators believe that he was living in southeast Asia during the time of the offenses alleged in the Indictment, and that he is married to a Thai citizen. After his arrest, Bateman was detained in the United Kingdom pending extradition to the United States. After initially contesting extradition, he ultimately consented to extradition in or about early June

2023. He is now appearing in the District of Vermont post-extradition, and he has no other status in the United States. Finally, Bateman and others profited from the sales of misbranded prescription drugs and controlled substances, and the extent of Bateman's financial assets – and the ability to access funds – is not known. Given his international connections to the UK and southeast Asia, and the serious criminal charges he now faces, Bateman presents a significant risk of flight.

Bateman also presents a danger to the community. The investigation by the Food and Drug Administration, Office of Criminal Investigation showed that Bateman was involved in operating, along with several other individuals, an internet pharmacy network that distributed unapproved prescription drugs and controlled substances to customers in the United States and elsewhere. As alleged in the Indictment, Bateman and others operated an internet pharmacy network that offered misbranded prescription drugs and controlled substances for sale.

Prescriptions were not required to purchase these products. Bateman operated several websites and worked with others, including at least one U.S. citizen, to process customer orders and offer products for sale -- including opiates such as Tapentadol and Tramadol (which are, respectively, Schedule II and Schedule IV controlled substances under U.S. law). Bateman also worked with payment processors to facilitate online sales, and he received proceeds from these unlawful sales, as alleged in Counts Five and Six of the Indictment. While the conduct alleged in the Indictment is, at this point, historical, much of the activity was conducted over the internet, demonstrating the ease with which Bateman and others marketed and distributed misbranded prescription drugs and dangerous controlled substances. If released, Bateman could reengage in this conduct. For all the foregoing reasons, the Court should order Bateman detained pending further proceedings.

3. Rebuttable Presumption. The United States will invoke the rebuttable presumption against defendant under Section 3142(e). The presumption applies because the Indictment returned by the Grand Jury establishes probable cause to believe the defendant committed a drug offense punishable by more than 10 years of imprisonment.

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing upon completion of the pretrial services report.

Dated at Burlington, in the District of Vermont, June 30, 2023.

Respectfully submitted,

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