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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN THE MATTER OF THE EXTRADITION OF 08 MJ 1040
GLENN GALAPON DUMLAO,
Defendant.

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CERTIFICATION OF EXTRADITABILITY
AND
ORDER OF COMMITMENT

The Court received a Complaint in this matter filed on November 18, 2008, by Christopher A. Ott, Assistant United States Attorney for the Eastern District of New York, acting on behalf of the Government of th Republic of the Philippines, pursuant to its request for the extradition of GLENN GALAPON DUMLAO.

On December 9, 2008, the extraditee appeared before the Court in open session, accompanied by his attorney, Tracey Gaffey, Esq., and in the presence of the aforementioned Assistant United States Attorney. The Court addressed the extraditee and is satisfied that the extraditee was aware of his rights as set forth by the treaty. The Court also conducted a hearing as to the extraditability of GLENN GALAPON DUMLAO. In that hearing, both Mr. Dumlao's attorney and the representative for the Republic of the Philippines, Mr. Ott, had the opportunity to argue and present evidence.

The Court made extensive factual findings on the record during the December 9, 2008 hearing. By way of summary, the Court made the following findings:

1. The Extradition Treaty between the United States of America and the Republic of the Philippines, signed on November 13, 1994, and entered into force on November 22, 1996, is currently in effect;
2. GLENN GALAPON DUMLAO is currently named in an amended information filed with the Trial Court in Manila Philippines, charging him with "double murder;"
3. "Double murder," as charged, constitutes a violation of Article 248 of the Revised Penal Code of the Philippines, which carries potential imprisonment of more than one year. Article 2(1) of the Treaty provide that a charge for such offenses shall serve as the basis for extradition. In addition, Article 248 possesses the attributes of "dual criminality" with the charge of "murder" in the United States;
4. Probable cause exists to support the charges that are the basis of the extradition request by the Republic of the Philippines.

Based on these findings, the Court concluded that the extraditee is extraditable for the offense for which extradition was requested, and certifies this finding to the Secretary of

State as required under Title 18, United States Code, Section 3184.

IT IS THEREFORE ORDERED that a certified copy of this Certification of Extraditability be delivered by the Clerk to the Assistant United States Attorney for transmission to the Secretary of State;

AND IT IS FURTHER ORDERED that GLENN GALAPON DUMLAO be committed to the custody of the United States Marshal for this District pending final disposition of this matter by the Secretary of State and the arrival of agents of the requesting state, at which time the extraditee will be transferred to the agents of the requesting state for return thereto.


HON. A. KATHLEEN TOMLINSON
UNITED STATES MAGISTRATE JUDGE

Date: December 10, 2008