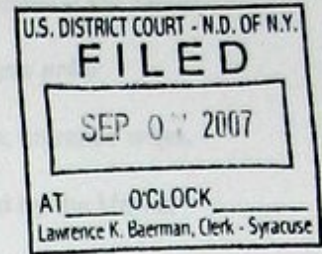


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

vs.

Criminal Action No.
5:07-CR-387 (GJD)

JOHN MURTARI

GUSTAVE J. DI BIANCO, Magistrate Judge

FINDINGS OF FACT AND ORDER

FINDING THAT JOHN MURTARI is charged with two violations of 41 C.F.R. 102-74.380(b), Damaging Federal Property; and

FINDING THAT JOHN MURTARI has been charged on previous occasions with related conduct for which he has been found guilty; and

FINDING THAT JOHN MURTARI was charged with Count One of these two offenses on August 30, 2007 and Count Two on September 4, 2007; and

FINDING THAT JOHN MURTARI has indicated that he can not assure the Court that he will not engage in identical conduct during the pendency of these proceedings; and

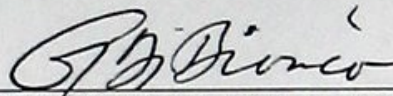
FINDING THAT JOHN MURTARI refused to sign standard Conditions of Release in this case because of his objections to the provisions that he promises not to violate federal, state or local law during the pendency of the case and while on release,

WHEREFORE, it is hereby

ORDERED, that JOHN MURTARI shall not during the pendency of this case enter onto any portion of the property owned, leased or used by the United States Government at the James Hanley Federal Building at 100 South Clinton Street, Syracuse, New York *unless prior permission is granted by this Court*. This property includes the building plaza, entrance ways, grassy areas or any other portion of the physical property owned, leased or used by the United States Government at this location.

This order does not prohibit JOHN MURTARI from engaging in marching, picketing, protesting or demonstrating in the outdoor plaza area of the James Hanley Federal Building so long as he complies with any permit requirements made applicable to the public and receives a permit from the General Services Administration.

Dated: September 7, 2007



HON. GUSTAVE J. DI BIANCO
United States Magistrate Judge