

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA :

v. : **21-CR-151**

BARTON SHIVELY :

CONSENT MOTION TO MODIFY CONDITIONS OF RELEASE

Barton Shively, through counsel, respectfully moves to modify his conditions of release. Specifically, Mr. Shively, with the agreement of his supervising probation officer, moves to vacate the requirement of location monitoring/GPS monitoring. The government consents to this request.

Mr. Shively, through counsel, submits the following on information and belief:

1. Mr. Shively is released in this matter.
2. One of his conditions of release is location monitoring with an ankle bracelet.
3. Mr. Shively has fully complied with his location monitoring. According to his probation officer, he spends most of his time at home.
4. Mr. Shively has maintained employment.
5. While Mr. Shively had some positive drug tests early in his supervision, he completed an alcohol and drug treatment program and has since been consistently negative on all tests.
6. Mr. Shively was recently diagnosed with cancer, specifically Hodgkin's-form leukemia. He is scheduled for surgery, a bone marrow biopsy on Wednesday, May 3, 2022. The supervising probation officer confirms the medical issue.

7. The ankle monitor reportedly may be disruptive of the medical equipment used for the surgery on May 3, 2022 and for future medical interventions.
8. Mindful of the health prognosis and needs, the supervising probation officer recommends removal of the ankle monitor.
9. Mr. Shively begins chemotherapy on Monday, May 1, 2022.
10. The government is aware of this request and the bases thereof, and the government consents to this motion.

WHEREFORE, Mr. Shively respectfully moves the Court to modify his conditions of release and to remove the requirement of location monitoring/GPS monitoring. A proposed order is attached.

/s/ EDWARD J. UNGVARSKY
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