

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

UNITED STATES OF AMERICA,

-v-

CHRISTOPHER MICHAEL ALBERTS,

Defendant.

Criminal No. 21-CR-026 (CRC)

**DEFENDANT'S EMERGENCY MOTION FOR TEMPORARY MODIFICATION OF  
PRETRIAL RELEASE CONDITIONS**

**Request for Temporary Removal of GPS Monitoring Device for Medical Procedure**

Comes now, Defendant, CHRISTOPHER MICHAEL ALBERTS, (hereinafter, "Defendant" or "Alberts"), by and through undersigned counsel, hereby respectfully moves this Court for an Order temporarily modifying Mr. Alberts pretrial release conditions. The Defendant requests for a temporary emergency removal of his electronic monitoring device on January 6, 2022 (for the day), in order to permit Alberts to undergo an MRI related to a work injury. The date of Alberts MRI was scheduled due to the urgency of the procedure and being the first available appointment. The procedure is for a 3T-MRI lumbar spine without contrast and is scheduled for 11 a.m. at Harford Imaging, 201 Plumtree Road Suite 101, Bel Air MD 21015. The Defendant previously requested and was granted an order to temporarily remove the defendant's GPS monitoring device on March 8, 2022. *See* ECF No. 47-1. Alberts complied with the terms of the temporary removal in March, without encountering any issues that would warrant the suspicion and scrutiny he is currently subjected to.

**FACTS AND PROCEDURAL HISTORY**

United States Magistrate Judge G. Michael Harvey released the Defendant on conditions, including that he stays away from the District of Columbia and, relevant to Defendant's motion,

be monitored by a GPS device. (Minute Entry, Order Setting Conditions of Release, Jan. 7, 2021). The Court did not impose a curfew or otherwise restrict him to his residence. (Id.) Since that time, he has remained on pretrial release, subject to the GPS monitoring requirement imposed by the Court in January 2021. (Government's Opposition to Motion, ECF No. 44).

### **ARGUMENT**

Alberts has complied with the conditions of his release, which justifies the removal of the condition that he wears a GPS monitor, at least temporarily. The Defendant has presented new information regarding a medical procedure for a work-related injury, that merits a temporary change in the terms of his release. As such, pursuant to the Defendant's upcoming medical procedure, this court may modify conditions of pretrial release pursuant to 18 USC 3145(b) upon the motion of either party. The modification may be temporary as requested herein. The date of the procedure is related solely to the injury of the Defendant and the urgency of the appointment due to the pain and discomfort associated with walking.

Wherefore, Alberts respectfully requests that this Court temporarily modify his conditions of pretrial release as set forth herein.

Dated: December 19, 2022

Respectfully submitted,

/s/ John M. Pierce  
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**CERTIFICATE OF SERVICE**

**I hereby certify that on December 27, 2022, a true and accurate copy of the forgoing was electronically filed and served through the ECF system of the U.S. District Court for the District of Columbia.**

**/s/ John M. Pierce**