

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

UNITED STATES OF AMERICA,

v.

GREGORY LAMAR NIX,

Defendant.

)
)
)
)
)
)
)

No. 21-CR-678 BAH

MOTION TO MODIFY TERMS AND CONDITIONS OF RELEASE

COMES NOW, Defendant, Gregory Nix, by and through undersigned counsel, and moves this Honorable Court to Modify Conditions of Release. Specifically, the Defendant requests that he be removed from electronic monitoring. In support thereof, the Defendant states as follows:

1. The Defendant does not have a criminal history. As evidenced in the Plea Agreement and Draft Presentence Investigation Report, his Criminal History Category is a I.
2. The Defendant has appeared at all court hearings in this matter, including the in person plea hearing held on December 16, 2022.
3. The Defendant has ties to the community and has been successfully employed, continuing to work throughout the duration of this case.
4. The Defendant has been compliant with his pretrial conditions thus far.
5. The Defendant's wife passed away on Wednesday, February 1, 2023 after a tragic house fire. Mr. Nix's home suffered a total loss in the fire as well. Mr. Nix has suffered unimaginable loss in a short period of time.
6. Based on Mr. Nix's fluctuating living conditions since the tragic fire, it is unduly burdensome for Mr. Nix to continue electronic monitoring. Specifically, Mr. Nix's electronic monitoring and conditions of his electronic monitoring require that he receive approval regarding any movement outside of his home. Given his home is no longer viable, this requirement proves to be burdensome for Mr. Nix.
7. Based on these factors, the Defendant requests the terms of his release to be modified to be removed from electronic monitoring.

8. Counsel for the Defendant has spoken with the Assistant US Attorney and given the circumstances, the Assistant US Attorney consents to the Defendant's removal from electronic monitoring.

/s/ Lindsey Davis

LINDSEY DAVIS
Alabama Divorce & Criminal Lawyers, LLC
13521 Old Highway 280, Suite 141
Birmingham, AL 35242
(205) 981-2450

/s/ Charles Haskell

CHARLES HASKELL
Counsel for the Defendant

CERTIFICATE OF SERVICE

I hereby certify that on February 6, 2023 I electronically filed the foregoing with the Clerk of Court using the CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached service list in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notice of Electronic filing.

/s/ Lindsey Davis

LINDSEY DAVIS
Alabama Divorce & Criminal Lawyers, LLC
13521 Old Highway 280, Suite 141
Birmingham, AL 35242
(205) 981-2450