

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

v.

Case No.: 1:22-cr-00011-RJL-5

JAMES BRETT.

**MOTION TO LIFT DRUG TESTING**

COMES NOW, James Brett, via undersigned counsel and files this unopposed Motion to Lift Drug Testing and states as follows:

1. On June 9<sup>th</sup>, 2022, Mr. Brett was placed on pre-trial release with conditions to include drug testing.
2. Mr. Brett has no prior record.
3. On November 30<sup>th</sup>, 2022, Mr. Brett had a negative drug test and on December 12<sup>th</sup>, 2022, a test's results showed 'diluted' (neither proving or disproving the accuracy of the test kit and its results).
4. Probation sent a violation report to this Court on January 5<sup>th</sup>, 2023 which included said drug test results.
5. On January 31<sup>st</sup>, 2023, a hearing was held on the violation. The Court gave Mr. Brett a judicial warning and Mr. Brett was ordered to continue with all conditions of his release until the next hearing wherein the need for drug testing would be re-visited at that time.
6. The government moved to continue the next hearing scheduled for March 9<sup>th</sup>, 2023.
7. On February 23<sup>rd</sup>, 2023 the Court granted the Government's request to continue the March 9<sup>th</sup>, 2023 hearing and the Court set the next hearing for March 29<sup>th</sup>, 2023.
8. On March 29<sup>th</sup>, 2023 present counsel appeared, however, had not received the prior day's Pretrial Compliance Report March 28<sup>th</sup>, 2023 report as she was ordered admitted *pro*

*hac vice* April 3<sup>rd</sup>, 2023.

9. Probation filed their Pretrial Compliance Report on March 28<sup>th</sup>, 2023, no violations of any kind were reported, or alleged. (ECF # 108).
10. Five months have transpired since January's violation report, and, importantly, there have been no violations of any kind or alleged and drug testing takes a full day of work and income away from Mr. Brett.
11. Trial is not scheduled on this matter.
12. Government is unopposed to this Motion.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Lift Drug Testing has been furnished via Electronic Filing to Michael Gordon, AUSA, Office of the U.S. Attorney, District of Columbia, and all other listed parties on this 23rd day of May, 2023.

*/S/ Maria T. Rodriguez*

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