

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

UNITED STATES OF AMERICA,

v.

JARED HUNTER ADAMS,

Defendant.

Case No.: 1:21-cr-00212 ABJ-1

**MOTION TO MODIFY CONDITIONS  
OF RELEASE**

COMES NOW, Jared Adams, through counsel, Joseph R. Conte, to respectfully request this honorable court to amend his conditions of release to vacate the order that he not possess firearms. As grounds for this motion counsel would state:

1. The defendant is charged with violations of 18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority, 18 U.S.C. §1752(a)(2) – Disorderly and Disruptive Conduct in a Restricted Building, 40 U.S.C. § 5104(e)(2)(D) - Violent Entry and Disorderly Conduct on Capitol Grounds, 40 U.S.C. §5104(e)(2)(G) – Parading, Demonstrating, or Picketing in a Capitol Building.

2. All of the charges are misdemeanors.

3. None of the charges allege acts of violence by the defendant.

<i>United States v. Jared Hunter Adams</i> , Case No. 1:21-cr-00212 ABJ-1  Motion to Modify Conditions of Release  AMEND COR 21/07/07 12:40:08		Joseph R. Conte Law Office of J.R. Conte 400 Seventh St., N.W., #206 Washington, D.C. 20004 Phone: 202.638.4100 Email: dcgunlaw@gmail.com
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4. Nothing in the discovery provided to date contains any indicia of violence by the defendant.

5. The defendant is a hunter and firearms collector. The defendant is unable to enjoy these past-times given the current restrictions.

6. The Bail Reform Act, 18 U.S.C. §3142(c)(1)(B) provides for release of a person on conditions subject to the:

least restrictive further condition, or combination of conditions, that such judicial officer determines will reasonably assure the appearance of the person as required and the safety of any other person and the community, which **may** (emphasis provided) include the condition that the person—

....

(viii) refrain from possessing a firearm, destructive device, or other dangerous weapon.

7. The defendant's prohibition from possessing any firearms, where there has been no showing of danger to any other person and the community, is not the "least restrictive" condition of release.<sup>1</sup>

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<sup>1</sup> The prohibition of possessing a firearm is one of the "standard" conditions of release requested by the United States in all the Capitol riot cases without consideration of the facts of each individual case.

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8. Other than §3142's suggestion that prohibition of firearms possession may apply in the appropriate case there is no statutory preclusion to the defendant's Second Amendment right to possess a firearm while charged with the misdemeanor offenses he is currently charged with. The only such restrictions contained in the United States Code are 18 U.S.C. §922(g)(8) prohibiting possession by a person subject to a restraining order prohibiting harassing, stalking, or threatening an intimate partner, 18 U.S.C. §922(g)(9) prohibiting a person convicted of a misdemeanor crime of domestic violence, and 18 U.S.C. §922(n) prohibiting any person under indictment for a crime punishable for imprisonment for a term exceeding one year to ship, transport, or receive any firearm that has been shipped or transported in interstate or foreign commerce.

9. The defendant is not charged with a crime of violence or a felony, the prohibition of possessing a firearm is not warranted given the facts of the case.

WHEREFORE counsel respectfully requests that his motion be granted.

Dated: July 7, 2021

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Respectfully submitted,  
**Joseph R.  
Conte**

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Joseph R. Conte  
Date: 2021.07.07  
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**ORDER**

This matter is before the court on the defendant's motion to modify his conditions of release to permit him to possess firearms and the court having considered the motion and the government's response thereto it is this \_\_\_\_\_ day of \_\_\_\_\_ 2021,

**ORDERED** that the defendant's motion should be and hereby is  
**GRANTED**  
**SO ORDERED**

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Amy Berman Jackson  
United States District Judge