

UNITED STATES OF AMERICA

v.

RONALD BALHORN,

Defendant.

Case No.: 23-CR-0114 (ACR)

**DEFENDANT'S OPPOSITION TO
GOVERNMENT'S MOTION TO MODIFY CONDITIONS OF RELEASE**

The Defendant, Ronald Balhorn, by and through his undersigned attorney, respectfully opposes the Government's motion to modify the conditions of release. It is requested that the Court deny the Government's motion as Mr. Balhorn has substantially complied with all conditions of release since February 9, 2023. Furthermore, Mr. Balhorn does not have a substance abuse issue with marijuana.

SUBSTANTIAL COMPLIANCE WITH RELEASE CONDITIONS

Since his release on February 9, 2023, Mr. Balhorn has diligently adhered to the conditions imposed upon him by this Honorable Court. Notably, he has refrained from using or unlawfully possessing any narcotic drug or controlled substances, including marijuana, as required by the conditions of his release. Despite the fact that marijuana may be legal in Mr. Balhorn's home state, he has chosen to respect and comply with federal law and the conditions of his release.

LACK OF SUBSTANCE ABUSE ISSUE

It is crucial to emphasize that Mr. Balhorn does not have a substance abuse issue with marijuana. The Defense does not dispute the fact that he tested positive on 02/27/23, 03/28/23, 04/28/23, 06/01/23, 07/10/23, 09/05/23, 10/10/23, and 12/21/23. He submits that he, on occasion, has been around people who have partaken in using marijuana. His negative test on November 21, 2023, corroborates that he has not using. A person who has substantial addiction issues would test positive for every test, especially when marijuana has been known to stay in the body for up to 30 days. Mr. Balhorn represents

to Undersigned that he does not have addiction issues and that while in the past he
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enjoyed marijuana use, he respected the Court's order and has not engaged in marijuana
use.

SUBSTANTIAL COMPLIANCE AND LEGITIMACY OF JUDICIAL ORDERS

Mr. Balhorn's consistent compliance with the conditions of his release demonstrates his respect for the judicial process and his commitment to upholding the law. His adherence to the conditions, apart from being around individuals who use marijuana, should be considered substantial compliance. Granting the Government's motion for modification based on Mr. Balhorn's positive test for marijuana would be an unnecessary and unjustified departure from his overall compliance, which has been commendable.

CONCLUSION

For the reasons stated above, it is respectfully requested that the Court denies the Government's motion to modify the conditions of release. Mr. Balhorn has substantially complied with all conditions since his release, including refraining from marijuana use. The Court's previous imposition of release conditions remains appropriate and should not be modified.

Respectfully submitted,
ROLLINS AND CHAN

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2024 this motion was electronically filed pursuant to the rules of the Court.

/s/
