

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

)	
UNITED STATES,)	
)	
v.)	Crim. No. 21cr268-CJN
)	
JEFFREY MCKELLOP,)	
Defendant.)	
)	

RESPONSE IN OPPOSITION TO GOVERNMENT’S MOTION TO MODIFY

Defendant, Jeffrey McKellop, hereby files this Response in Opposition to the Government’s Motion to Modify the Court’s Order, ECF 109.

On August 4th, the Court granted Mr. McKellop’s emergency motion for medical treatment and ordered that “Mr. McKellop shall be transported to an external dental appointment no later than close of business tomorrow, August 5, 2022”, ECF 108. The Court expressly rejected the Government’s argument that treatment by August 9th was good enough.

Now the Government moves to modify the Court’s order arguing, again, that August 9th is good enough, and making the additional argument that in-house dental care is, also, good enough. The Government has presumably reached its assessment of Mr. McKellop’s current dental/medical need by, again, relying on the jail’s assessment. The Court should reject the Government’s argument.

As the Court is aware, it was the jail’s failure to provide adequate dental/medical care in the first place that necessitated the Court’s intervention. Whether treatment is called for, and the type of treatment appropriate for Mr. McKellop’s condition, should be assessed – as the Court ordered – today by an outside dental expert.

Certificate of Electronic Service

I hereby certify that on August 5, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, with consequent service on all parties of record.

_____/s/_____

John C. Kiyonaga