

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

UNITED STATES OF AMERICA,)

)

V.)

)

No. 21-cr-52 (TJK)

MATTHEW GREENE,)

Defendant.)

)
_____)

**DEFENDANT’S UNOPPOSED MOTION TO ALLOW THE DEFENDANT ACCESS TO
THE CURTILAGE ATTACHED TO HIS HOME AS PART OF HOME
INCARCERATION CONDITIONS OF RELEASE**

Defendant Matthew Greene, by and through undersigned counsels, submits the following unopposed motion to modify and clarify the terms of his home incarceration to allow the Defendant to access the outdoor area of his residence.

On December 22, 2021, the Defendant entered a guilty plea, pursuant to a cooperation agreement with the government and the Court. On March 10, 2022, the Court granted the unopposed motion of counsel to release the Defendant to home incarceration in the Northern District of New York, while he is awaiting sentencing. The terms of home incarceration included electronic location monitoring. The Defendant’s home in the City of Syracuse consists of a one-story, single-family structure. The structure is one thousand, sixty-six square feet and the property is twelve-hundredths of one acre. As part of Mr. Greene’s home incarceration, he has not been permitted to access the small outdoor area surrounding his house.

Undersigned counsel has spoken with a representative from the United States Probation Department in the Northern District of New York and confirmed that Mr. Greene has been in compliance with the terms set forth by the Court. Additionally, counsel has conferred with Assistant United States Attorney Erik Kenerson and the government does not oppose the relief sought in this motion.

WHEREFORE, the Defendant respectfully requests that he be permitted access to the curtilage of his home as part of the home incarceration terms.

Dated:

Respectfully submitted,

/s/ Michael Kasmarek, Esq.

Bar roll number: 702427

Attorney for the Defendant

Kasmarek Law Office, PLLC

440 East Washington Street

Syracuse, New York 13202

/s/ Michael Spano, Esq.

Bar roll number:

Attorney for the Defendant

Spano Law Office, PLLC

220 South Warren Street

Syracuse, New York 13202