

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)
)
 v.) 1:21CR40
) Status Hearing: December 17, 2021
 DAVID LEE JUDD)

**DAVID JUDD’S MOTION TO MODIFY CONDITIONS OF RELEASE BASED UPON
INFORMATION FROM THE UNITED STATES PROBATION OFFICE**

David Lee Judd (“Mr. Judd”), through counsel, respectfully moves this Court for an Order modifying conditions of his release. At the status hearing in this matter, the Court granted Mr. Judd’s motion to lift the condition of home detention and ordered: “Defendant will no longer be subject to home detention, but will continue to be subject to GPS location monitoring. All other conditions of release remain the same.” Docket Order, 10/4/2021. Undersigned counsel has since learned that United States Probation Office in Texas which is supervising Mr. Judd does not utilize GPS technology tracking. As such, Probation is unable to implement the Court’s Order. Mr. Judd’s Probation Officer has explained that his office typically imposes a curfew when a person is removed from home detention. Accordingly, undersigned counsel moves the Court to enter the attached order, removing GPS monitoring as a condition and imposing a curfew of 12 p.m. to 7 a.m. The government does not oppose this request. In support of this Motion, counsel states:

1. Mr. Judd was arrested in his home in Dallas, Texas on March 26, 2021. *See* Arrest Warrant, Doc. No. 5. He has been charged by Superseding Indictment on charges stemming from the events of January 6, 2021.
2. Following Mr. Judd’s detention hearing on May 12, 2021, Mr. Judd was ordered released with conditions, including location monitoring and home detention. *See* Doc.

No. 60 (Order setting conditions of release). Mr. Judd was released on May 13, 2021 and returned to his home in Texas.

3. Since his release, Mr. Judd has incurred no violations. At the last status hearing in this matter, the Court granted Mr. Judd's motion to lift home detention as a condition and ordered: "Defendant will no longer be subject to home detention, but will continue to be subject to GPS location monitoring. All other conditions of release remain the same." Docket Order, 10/4/2021.
4. Undersigned counsel has since learned that the United States Probation Office in the Eastern District of Texas does not utilize GPS tracking. Instead it uses monitors which rely on radio frequency. As such, the Probation Office has requested that the Order be modified to reflect the practice in their district when a defendant is stepped down from home detention, *i.e.* imposition of a curfew. The parties consent to this modification.
5. Undersigned counsel has attached a Proposed Order, approved by Probation and the government, for the Court's consideration.

Respectfully submitted,

David Judd

By Counsel

_____/s/_____
Elizabeth Mullin
Virginia Bar Number 86668
DC Bar Number 484020
Assistant Federal Public Defender

Office of the Federal Public Defender
1650 King Street, Suite 500

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ORDER

Upon consideration of Defendant David Judd’s Motion to Modify Conditions of Release Based Upon Information from United States Probation and for good cause shown, it is hereby

ORDERED that the defendant shall not be subject to home detention or GPS monitoring; it is further

ORDERED that the defendant shall abide by radio frequency monitoring and a curfew of 12 a.m. to 7 a.m.

All other conditions set forth in the Order setting conditions of release (Doc. 60) remain in full force and effect.

District Judge
Trevor N. McFadden