

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

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UNITED STATES OF AMERICA

Criminal Case No. 21-193-BAH-1

v.

GREG RUBENACKER

Defendant.

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AMENDED MOTION TO MODIFY CONDITIONS OF RELEASE

Defendant Greg Rubenacker, by and through his attorneys, The Matera Law Firm, moves this Court to enter an Order modifying the conditions of release, to allow the Defendant to travel to the adjoining Southern District of New York, in particular, New York County, and to modify the curfew previously set in order to allow the Defendant to continue pursuing his career as a recording artist. In support thereof, the Defendant states as follows:

1. The Original Order setting the conditions of release was entered on March 2, 2021.
2. Defendant is currently being supervised by the US Pretrial Services Office in the Eastern District of New York.
3. Defendant has been fully compliant with all of the conditions of release since the time of the entry of the Original Order.
4. Defendant now seeks modification of the Original Order, specifically Condition Numbers 7(f) and 7(p), to allow the Defendant to travel to the adjoining Southern District and in particular, New York County and to modify the current curfew as Defendant is a recording artist

that records music at recording studios in New York County several days per week with such recording sessions typically commencing between 10:00 and 11:00 pm and thereafter lasting for several hours.

5. The current Conditions do allow the Defendant to travel outside of the District with permission each time which poses an issue as Defendant does not always know when he will be called to a recording session which is usually based on when time slots are available or become available, and such notification is often an hour or so before at which time it is not practicable to reach the Pretrial Services Officer.

6. Defendant and counsel have consulted with the Pretrial Services Officer, Brian Manganaro, who indicated that Mr. Rubenacker has been compliant and that he would have no objection to this request but that he would have to speak with the assigned Pretrial Services Officer in the District of Columbia.

7. There was apparently some confusion with the understanding and communication between the parties and in light of such, counsel has spoken with the assigned Pretrial Services Officer in the District of Columbia and it is our understanding that said Officer will be submitting her report to Your Honor in connection with this Motion asking for no change in the current conditions.

8. Counsel has also had a subsequent conversation with the Government, by Assistant United States Attorney Troy Edwards, and it is our understanding that the Government does not object to modifying Condition Number 7(f) to extend the travel restrictions to permit Defendant to travel to the Southern District of New York and modifying Condition 7(p) to extend the curfew from 10:00 pm to 12:00 am.

WHEREFORE, for the foregoing reasons, Defendant requests that this Court enter an Order modifying the current Conditions of Release as set forth herein.

Dated this 14th day of July, 2021.

/s/

Michaelangelo Matera (MM1586)

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of Defendant’s Motion to Modify Conditions of Release was electronically filed on the Court’s electronic filing system on July 14, 2021,

Dated this 14th day of July, 2021.

/s/
Michaelangelo Matera (MM1586)

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ORDER

Upon consideration of Defendant's motion to Modify the Conditions of Release, it is hereby,

ORDERED, that Defendant's motion is granted; and it is hereby,

FURTHER ORDERED, that Condition Number 7(f) be modified to permit travel to the Southern District of New York; and it is hereby,

FURTHER ORDERED, that Condition Number 7(p) be modified to change the curfew on the one or two nights per week when Defendant is in the recording studio from 10:00 pm to 12:00 am.

Dated: _____

BERYL A. HOWELL
Chief United States District Judge