

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CASE. NO. 21-CR-226-CRC
	:	
	:	
CHRISTOPHER MOYNIHAN,	:	
	:	
Defendant	:	

UNOPPOSED MOTION TO AMEND ORDER SETTING CONDITIONS OF RELEASE

The Defendant, by and through his attorney, Assistant Federal Public Defender Ned Smock, respectfully moves the Court to amend the conditions of his pretrial release to include a requirement that he be subjected to drug testing and participate in drug treatment for the following reasons:

1. On March 17, 2021, the defendant was indicted and charged with Obstruction of an Official Proceeding and Aiding and Abetting, in violation of 18 U.S.C. § 1512(c)(2) and 2; Entering and Remaining in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(1); Disorderly and Disruptive Conduct in a Restricted Building or Grounds, in violation of 18 U.S.C. § 1752(a)(2); Entering and Remaining on the Floor of Congress, in violation of 40 U.S.C. § 5104(e)(2)(A); Disorderly Conduct in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(D); and Parading, Demonstrating, or Picketing in a Capitol Building, in violation of 40 U.S.C. § 5104(e)(2)(G).

2. Mr. Moynihan was released on bond on March 5, 2021 to live with his parents in the Southern District of New York. The Order Setting Conditions of Release is at Docket Number

8. Mr. Moynihan has been in compliance with the terms of his release. However, Mr. Moynihan has a history of controlled substance abuse and he reports that he relapsed and is in need of substance abuse treatment. Mr. Moynihan has located an inpatient facility that is willing to admit him tomorrow morning. The undersigned communicated with Mr. Moynihan's Pretrial Services Officer in the Southern District of New York. He indicated that Pretrial Services can assist in placing Mr. Moynihan into treatment, but can only do so if the conditions of Mr. Moynihan's release are amended to include requirements that he submit to testing and participate in a program of inpatient or outpatient substance abuse therapy and counseling under (7)(n) and (o) of the Order Setting Conditions of release.

3. Accordingly, the defense asks that the Court amend the Order Setting Conditions of Release to include the requirements that Mr. Moynihan submit to testing for a prohibited substance and that he participate in a program of inpatient or outpatient substance abuse therapy and counseling.

4. The undersigned has discussed this request with the assigned Assistant United States Attorney and with Mr. Moynihan's United States Pretrial Officer in this District. Neither opposes this request. A proposed order is attached.

Respectfully submitted,

A.J. KRAMER
Federal Public Defender

/s/ _____
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