



NOW COMES defendant Brian Mock, by and through his undersigned counsel, and respectfully requests that this Honorable Court issue an Order directing Pretrial Services to conduct an investigation into an alternative residence for Mr. Mock as part of a motion to modify Mr. Mock's terms and conditions of his pretrial release.

On May 23, 2022, this Court granted Mr. Mock's Motion for Reconsideration of the Detention Order previously entered and ordered him be released to reside with his parents as Third-Party Custodians in a Northern Virginia suburb of Washington, D.C. *See* EFC. Minute Order Dated May 23, 2022.

On May 24, 2022, Mr. Mock was released from custody and took up residence as authorized by the Court.

In the hours FOLLOWING his release, Mr. Mock was advised for the first time by his father that Mr. Mock's brother had recently arrived and was residing with the parents at their home.

Mr. Mock and his brother have had a volatile and antagonistic relationship for over two decades. Within 72 hours of arrival to reside with his parents, local police were summoned based on a call of a domestic disturbance. Local police took no action because there was no evidence of any violent conduct engaged in by anyone and noted that some in the residence – not including Mr. Mock – were intoxicated. At the suggestion of the local police – and his counsel who was on the phone with him while the police were there – Mr. Mock isolated himself away from the others in the house. Mr. Mock reported his contact with law enforcement to his Pretrial Services Officer the following morning as required.

For the better part of three weeks, Mr. Mock has resided in the garage so as to minimize any interaction with his brother.

Initially it was expected that Mr. Mock's brother would be at the house only temporarily. But it now appears that there are no definite plans for his brother to depart the residence. The status quo is likely unsustainable, with the potential outcome being some conflict between them that ends up with Mr. Mock back in custody.

Mr. Mock has another residence available to him. At the time of his arrest in June 2021, Mr. Mock was only days away from moving in with his "significant other" in Roberts, Wisconsin. That individual remains willing to have Mr. Mock reside with her, and to serve as his Third-Party Custodian. That individual owns her residence, is not a witness in this case, and has no criminal record.

Counsel for Mr. Mock has provided information about the new residence and potential Third-Party Custodian to Pretrial Services, but Pretrial Services requested that a motion be filed with this Court directing it to investigate the suitability of the alternative residence.

Mr. Mock moved to Minnesota 20 years ago. He has four children who live in that region – ages 21, 13, 11, and 9. He was actively involved in all their lives prior to his arrest. He maintains cordial relationships with the two women who are their mothers and saw all four children regularly.

Mr. Mock has employment opportunities in the Wisconsin area where he would reside and will comply with whatever terms and conditions of release that would be imposed upon him there. In that regard, the record of this case includes information provided to this Court that Mr. Mock served seven years of active probation following a Minnesota state court conviction in 2009, and did not have a single violation of his terms of probation during his entire term of probation.

**CONCLUSION**

For the foregoing reasons, Mr. Mock respectfully requests this Honorable Court to direct Pretrial Services to conduct an investigation into the proposed alternative residence and Third Party Custodian, and make a recommendation to the Court regarding the suitability of the same for purposes of a motion by Mr. Mock to amend the terms and conditions of his pretrial release to allow him to reside in Roberts, Wisconsin.

Dated: June 13, 2022

Respectfully submitted,

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