

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

JOSEPH DANIEL HUTCHINSON III

Case No.: 1:21-cr-00447-CJN-2

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**MOTION TO MODIFY CONDITIONS OF RELEASE TO ALLOW FOR  
THANKSGIVING TRAVEL**

COMES NOW, the Defendant, Joseph Daniel Hutchinson III, by and through his undersigned counsel, and herein respectfully moves the Court to modify the conditions of his pretrial release to remove the condition of home confinement and thus allow him to perform better at his job. Counsel submits the following in support of this motion.

(1)

Mr. Hutchinson was arrested in the Middle District of Georgia on June 30, 2021, pursuant to a sealed complaint filed June 25, 2021. (MDGA Case 5:21-mj-00056 (*Hereinafter* "MDGA-Doc."), 2) He made his first appearance, and was released from custody under certain conditions. (MDGA-Doc.11) He was indicted July 1, 2021. (DCD Case 1:21-cr-00447 (*Hereinafter* "DCD-Doc.", 8). He made his first appearance in the charging district via video teleconference on July 8, 2021 and was arraigned. (DCD Case 1:21-cr-00447 (*Hereinafter* "DCD-Doc.", 07/08/2021 text docket entry) He was given an appearance bond and released on certain conditions of release. (DCD-Doc.21).

(2)

Since his release, Mr. Hutchinson has been working for his father at a used merchandise store that his father owns and operates in Albany, GA. Mr. Hutchinson grew up in Lakeland, FL

and members of his family still live there. They are hosting family to celebrate the Thanksgiving holiday this year, and Mr. Hutchinson would like to travel there to join his family in celebration.

(3)

Mr. Hutchinson's conditions of release include both home detention and a requirement that he notify the Middle District of Georgia "in advance of all travel outside the jurisdiction." (Doc.21, 7(t)) Any travel outside the continental United States must be approved by the court.

Although the court's order only requires notification for travel outside the jurisdiction, United States Probation has taken the position that the Home Detention condition (7(p)(ii)) requires court approval for travel outside of the district. Consequently, Mr. Hutchinson, through counsel, now files this motion seeking such an order.

(4)

Mr. Hutchinson respectfully requests an order from the court authorizing the following travel:

- Mr. Hutchinson would leave Albany, GA the morning of Thanksgiving Day, November 25, 2021, and return to his home in Albany, GA the following night, November 26, 2021.
- Mr. Hutchinson would travel by driving his vehicle from Albany, GA to Lakeland, FL and back.
- Mr. Hutchinson would stay at the home of his adopted brother, located at 5001 Lewellyn Rd, Lot 1, Lakeland, FL 33810.
- Mr. Hutchinson would be confined to the residence at 5001 Lewellyn Rd. in Lakeland throughout his stay there, consistent with the terms of the Home Detention condition of his pretrial release.
- Mr. Hutchinson would comply with US Probation's GPS location monitoring program throughout the trip, to include taking the GPS "beacon" device from his home in Albany, GA, ensuring its accurate placement in the residence at 5001 Lewellyn Rd in Lakeland, as well as reversing the process when he returns home the following day.

(5)

Mr. Hutchinson, through counsel, has discussed this proposed travel with the government and US Probation. US Probation has informed the parties about the logistics of the GPS monitoring during the travel, as well as contacted the US Probation officer in the Middle District of Florida who would supervise Mr. Hutchinson while in Florida.

The government informed defense counsel that it would not oppose this request if Mr. Hutchinson agreed to have no contact with his co-defendants during the trip.

Mr. Hutchinson grew up with the co-defendants as close family friends and has consistently shared their company when celebrating holidays his entire life. Because none of the three co-defendants have a no-contact condition of their conditions of pretrial release, and because Mr. Hutchinson has been in compliance with his conditions of pretrial release to date, Mr. Hutchinson does not agree to that request and therefore files this motion with the court.

WHEREFORE, because this request is reasonable, consistent with the current conditions of pretrial release and because it otherwise would be just and fair to grant the request, Mr. Hutchinson, through counsel, respectfully requests the court grant the motion and issue an order authorizing Mr. Hutchinson's travel to spend Thanksgiving with his family.

Dated this 23<sup>rd</sup> day of November 2021.

Respectfully submitted,

/s/Timothy R. Saviello

Timothy R. Saviello

Ga. Bar No. 627820

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**CERTIFICATE OF SERVICE**

I, Timothy R. Saviello, hereby certify that I electronically filed the foregoing pleading with the clerk of Court using the CM/ECF system which will send notification of such to all counsel of record.

**/s/Timothy R. Saviello**

Timothy R. Saviello

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