

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

UNITED STATES OF AMERICA,

v.

JOSEPH DANIEL HUTCHINSON III,

Defendant.

Criminal Action No. 1:21-cr-00447-2 (CJN)

ORDER

Before the Court is Defendant Joseph Daniel Hutchinson III's Motion to Modify Conditions of Release ("Mot."), ECF No. 65. Magistrate Judge Harvey previously placed Hutchinson on Home Detention. *See* Order Setting Conditions for High Intensity Supervision Program as to Hutchinson ("Release Order"), ECF No. 22, at 2. That Order restricts Hutchinson to his residence save for employment purposes, religious services, medical treatment, and the like. *Id.* If he wishes to leave his home for a nonenumerated reason, he must have that travel "approved in advance by the pretrial services office." *Id.* Magistrate Judge Harvey further ordered that Hutchinson be placed on GPS monitoring throughout the pretrial process. *Id.* But Magistrate Judge Harvey's Release Order also allows Hutchinson to leave the Middle District of Georgia (where Hutchinson lives) by notifying the Middle District of Georgia in advance; a Court order granting permission to travel is required only if Hutchinson seeks to leave the country. *Id.* at 3. And the Release Order places no limits on Hutchinson having any contact with his codefendants, *see generally id.*, something the United States has never moved to modify.

Despite the language of Magistrate Judge Harvey's Order, Pretrial Services believes that it needs an Order from this Court allowing Hutchinson to leave the Middle District of Georgia to attend Thanksgiving in the Middle District of Florida. Pretrial Services does not object to


Hutchinson's travel plans; indeed, it has already informed all Parties about the logistics of the GPS monitoring during the travel and contacted the probation officer in the Middle District of Florida who would supervise Hutchinson during his trip. *See* Mot. at *3. The United States also does not object to Hutchinson traveling to Florida; it confirmed so during a status conference earlier today. Pretrial Services and the United States therefore both agree that Hutchinson should be permitted to travel to Florida for Thanksgiving.

The United States does ask that Hutchinson be barred from meeting in person with his codefendants during his trip. But Hutchinson has never been barred from having contact with his codefendants. Magistrate Judge Harvey never set such a condition, and the United States has never asked this Court to subsequently introduce such a condition. The Court does not see an appreciably greater risk from Hutchinson potentially communicating with his codefendants in person when he has long been free to do so in other ways.

Accordingly, it is

ORDERED that Defendant Joseph Daniel Hutchinson III's Motion to Modify Conditions of Release, ECF No. 65, is **GRANTED**, for the reasons discussed during the hearing on November 23, 2021 and in this Order. Hutchinson may travel from Albany, Georgia, to Lakeland, Florida, and back from November 25, 2021, to November 26, 2021. He shall comply with all other restrictions established by his Probation Officer and consistent with his Release Order during this time.

DATE: November 23, 2021



CARL J. NICHOLS
United States District Judge