

**UNITED STATES DISTRICT COURT DISTRICT
OF COLUMBIA**

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 21-00026
)	MAGISTRATE JUDGE ZIA M. FARUQUI
ROBERTO ANTONIO MINUTA)	

Unopposed MOTION to amend conditions of release as Roberto Antonio Minuta

Comes now Attorney Jenifer Wicks and hereby move this

Honorable Court to amend the conditions of release, given that Mr. Minuta resides in the Eastern District of Texas, not the Northern District of Texas. When the release order issued, see Exhibit A, it indicated that he should be reporting travel outside of the Eastern District to Pretrial Services. Apparently the line between he resides in a County that is in both the Northern and Eastern Districts of Texas. Furthermore, it continues to be necessary for him to travel monthly to New York where his business is located. In support of this motion based on information and belief, counsel states the following:

1. Jenifer Wicks, counsel for Mr. Minuti, moves this Honorable Court to allow Mr. Minuta to merely report travel outside of the Eastern District of Texas, as he resides in that district and not the Northern District
2. Undersigned has conferred with assigned Assistant United States Attorney Troy Edwards, PSA agent Andre Sidbury, and each has authorized counsel to represent that they have no opposition to this motion.

WHEREFORE, Jenifer Wicks and Roberto Minuti request that the Court enter an Order amending the conditions such that he may travel to New York and must only report travel outside of the Eastern District of Texas to PSA.

Respectfully submitted,

/s/ Jenifer Wicks

Jenifer Wicks, D.C. Bar ID: 465476
P.O. Box 60585
Washington, DC 20039
Telephone: 202-839-5102

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion has been served by ECF on all parties. I hereby certify that a true and exact copy of the foregoing Motion on this the 31st day of March, 2021.

/s/ Jenifer Wicks

Jenifer Wicks, D.C. Bar ID: 465476

UNITED STATES DISTRICT COURT

for the
District of Columbia

United States of America

v.

Roberto Antonio Minuta

Case No. 21-000260-M

Defendant**ORDER SETTING CONDITIONS OF RELEASE**

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: US District Court for the District of Columbia 333 Constitution Ave NW WDC*Place*Before US Magistrate Judge G. Michael Harveyon 4/29/2021 1:00 pm*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization _____

Address (*only if above is an organization*) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- (X) (7) The defendant must:

- (X) (a) submit to supervision by and report for supervision to the PSA of DC weekly by phone (below),
telephone number (202) 442-1000, no later than _____.

- () (b) continue or actively seek employment.

- () (c) continue or start an education program.

- () (d) surrender any passport to: _____

- () (e) not obtain a passport or other international travel document.

- (X) (f) abide by the following restrictions on personal association, residence, or travel: Notify PSA in advance of all travel outside of the Northern District of Texas. Court to approve all other travel outside of the continental US.

- () (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

- () (h) get medical or psychiatric treatment: _____

- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- (X) (k) not possess a firearm, destructive device, or other weapon.

- () (l) not use alcohol () at all () excessively.

- () (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- () (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- () (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- () (p) participate in one of the following location restriction programs and comply with its requirements as directed.

- () (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

- () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

- () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- () (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- (X) (s) Stay out of DC except for Court, PSA business or to meet with Counsel. Verify your address with PSA.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Acknowledged on the Record

*Defendant's Signature**City and State***Directions to the United States Marshal**

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 3/17/2021

2021.03.17

18:13:38 -04'00'

Judicial Officer's Signature

Zia M. Faruqui, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT DISTRICT
OF COLUMBIA**

UNITED STATES OF AMERICA)	
)	
v.)	CASE NO. 21-000260-
)	MAGISTRATE JUDGE ZIA M. FARUQUI
ROBERTO ANTONIO MINUTA)	

ORDER

UPON Consideration of the unopposed motion to mend conditions. And for good cause shown, it is this _____day of March 2021, hereby

Granted and so it is

Further Ordered that Mr. Roberto Minuti may travel to New York for business and must only report travel outside of the Eastern District of Texas to PSA. All other conditions of the March 17, 2021 release order remain in force.

Zia M. Faruqui, U.S. Magistrate Judge