

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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**AMENDED MOTION TO MODIFY CONDITIONS OF RELEASE  
TO ALLOW TRAVEL HOME TO CELEBRATE DEFENDANT'S BIRTHDAY**

COMES NOW, the Defendant, Joseph Daniel Hutchinson III, by and through his undersigned counsel, and herein respectfully files this corrected motion in which he moves the Court to modify the conditions of his pretrial release to allow him to travel out of the arresting district to celebrate his birthday with his family in Florida. This amended motion is filed to correct an error in the original motion, filed March 18, 2022. (Doc. 86) Counsel submits the following in support of this motion.

(1)

On Friday, March 18, 2022 Mr. Hutchinson, through counsel, filed a motion seeking permission to travel out of district. (Doc. 86) Specifically, he was seeking permission to travel to his family home in Florida to celebrate his birthday. The trip would take place between March 28 2022 and March 30 2022. In that motion defense counsel represented that the government had no opposition to the request. (Doc. 86, para 5). That representation was incorrect and made in error.

(2)

Defense counsel had emailed the government the morning of March 18, 2022 outlining the request and solicited their position. Counsel intended to file the request after hearing from the government. Because counsel for Mr. Hutchinson was leaving midday for family vacation, he

prepared multiple versions of the motion, each stating the government's position as: no opposition, opposing, or taking no position.

Defense counsel's instructions to his legal assistant were unclear and the version of the motion representing the government had no opposition was filed. At that point the government had not replied to defense counsel's email and stated its position on the motion. The filing was an error by defense counsel, and he respectfully apologizes to the government and the court for the mistake.

The morning of Tuesday, March 22, 2022 counsel for the government contacted defense counsel and pointed out the error. That contact prompted the filing of this amended motion, seeking to correct the error. Counsel for the government also authorized defense counsel to inform the court that the **government opposes** Mr. Hutchinson's request for permission to travel to Florida to celebrate his birthday, as outlined in the original motion. (Doc.86)

WHEREFORE, Mr. Hutchinson, through undersigned counsel, respectfully requests the court accept this amended motion such that the record in this case is corrected.

Dated this 22<sup>nd</sup> of March 2022.

Respectfully submitted,

/s/Timothy R. Saviello  
Timothy R. Saviello  
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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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