

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, :
 :
 v. : Case No. 21-cr-00407-DLF-02
 :
 DANIEL JOHNSON, :
 Defendant. :

MOTION FOR MODIFICATION OF CONDITIONS OF RELEASE

COMES NOW, Defendant Daniel Johnson, by and through his counsel Allen H. Orenberg and, and hereby respectfully requests the entry of an Order modifying his conditions of release. Mr. Daniel Johnson is asking the Court; (1) To include an express condition which will allow him to communicate with his father, Daryl Johnson,¹ and (2) To include an express condition allowing him to visit his grandparents who live in a home within the same property as the residence of Daniel Johnson. As grounds, the following is stated:

1. A U.S. Probation Office Petition (ECF No. 86 – sealed) was filed on February 9, 2024. Consequently, Daniel Johnson was arrested, in Cedar Rapids, Iowa, on February 23, 2024. A revocation hearing is scheduled for May 13, 2024 at 9:00 a.m. (VTC)

2. On March 21, 2024, this Court conducted a status conference and

¹ Daryl Johnson and his son, Daniel Johnson, are co-defendants in 21-cr-00407-DLF

issued an Order Setting Conditions of Release. (ECF No. 89, attached as an exhibit) The Court placed Daniel Johnson into the custody of his mother, Lisa Johnson – in St. Ansgar, Iowa, with home detention and GPS monitoring. Daniel Johnson is living a “shop apartment” located on the property owned by his parents, however his parent’s (Lisa & Daryl Johnson) home is some five blocks away. He also lives in close proximity to the home of his grandparents, which is on the same property as his parent’s home.

3. Counsel has recently spoken with U.S. Probation Officer Barbara Lekush and her supervisor, U.S. Probation Officer Rhonda Moyle.(Northern District of Iowa) Apparently, it is the policy of that U.S. Probation Office to restrict communications between co-defendants. Furthermore, since the Court has ordered home detention, the U.S. Probation Office will not permit Daniel Johnson to visit his grandparents who live just steps away on the same property. (or work on renovations there, see below)

4. Daniel Johnson is asking this Court for permission to communicate with his father, Daryl Johnson, with whom he shares a very close relationship.

Daniel Johnson works part-time in Daryl Johnson’s construction/renovation business. It is almost impossible for Daniel to do what is necessary if he is not able to discuss job requirements and so forth with his father.

Also, as noted above, he is living in a “shop apartment” which is owned by his father to store tools and equipment which are necessary for his father’s construction / renovation business. The “no contact” restriction between son & father creates an

unreasonable burden on both, as Daryl Johnson regularly needs to access the “shop apartment” for business purposes, as well as the need communicate with each other concerning both business and family matters. And, not being able to talk with his father has impacted Daniel because he has heretofore regularly gone to his father for emotional support as he confronts significant personal issues.

5. Daniel Johnson is asking this Court for permission to visit the home of his elderly grandparents, which is located on the same property where he lives. His father’s construction business is currently renovating the grandparents home and, if the Court permits, Daniel will be working on this particular renovation project. Further, Daniel would like to be able to assist his grandparents with every day chores, etc.

6. The “no-contact” restriction between father and son have also affected other members of the Johnson family. Attached as an exhibit is a letter from Jennifer Shannon, the sister of Daniel Johnson. (and daughter of Daryl Johnson) She provides the Court with a unique perspective about her brother and the devastating impact the “no-contact” restriction has created on all of the Johnson family members.

7. The government opposes this Motion for Modification of Conditions of Release, per AUSA Jake Struebing.

WHEREFORE, for the foregoing reasons and such other reasons which may appear just and proper, Daniel Johnson respectfully requests the entry of an Order modifying his conditions of release; (1) To include an express condition which will

allow him to communicate with his father, Daryl Johnson, and (2) To include an express condition allowing him to visit his grandparents who live in a home within the same property as the residence of Daniel Johnson.

Respectfully Submitted,

Allen H. Orenberg, # 395519
The Orenberg Law Firm, LLC
200-A Monroe Street, Suite 233
Rockville, Maryland 20850
Tel. No. 301-807-3847
Fax No. 240-238-6701
aorenberg@orenberglaw.com

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of April, 2022, a copy of the foregoing Motion for Modification of Conditions of Release, and a proposed Order, was delivered to case registered parties by the CM/ECF court system.

Allen H. Orenberg