

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 21-cr-398-BAH
	:	
JAMES MCGREW,	:	
	:	
Defendant.	:	

ASSENTED-TO MOTION TO AMEND THE COURT’S
AUGUST 5, 2022, ORDER AND STATUS REPORT

The United States of America submits this motion to respectfully request the Court to amend its August 5, 2022, court order ordering the government to provide status updates as to the defendant’s medical condition from once every two weeks to once a month. As grounds for the motion, the government states the following:

As of November 4, 2022, according to the D.C. Department of Corrections (DOC), the defendant’s health is improving. At his doctor appointment on October 31, 2022, the defendant self-reported that his symptoms were improving and that he was bleeding “every once in a while.” The defendant is still awaiting the pathology results from his procedure earlier this month. Although the defendant was scheduled for a urology appointment in late October, the appointment was canceled due to unforeseen circumstances. The appointment has been rescheduled for later this month. The defendant continues to visit DOC’s health center once week or more.

In addition to the defendant’s improving health, the government has learned from DOC that the internal process for providing updates on the defendant’s health can be cumbersome. Every 1.5 weeks, the undersigned attorney emails DOC’s Office of General Counsel (OGC) for an update on the defendant. In addition to submitting the medical reports, OGC typically confers

with DOC medical staff on any questions it may have as to information within the report as well as information that may not be readily available, such as future appointment dates. Given the back and forth about the defendant's medical status and any questions, the result is that DOC medical often must prioritize reviewing the defendant's medical records and conferring with other medical staff about the findings within the report over other responsibilities of theirs.

Last, at this point, many of the defendant's medical treatments require outside expertise at local medical facilities. DOC then awaits the findings from the outside experts before, if necessary, scheduling additional appointments for the defendant. Reporting the defendant's medical status once a month would likely yield more developed information regarding treatment and diagnosis. In the meantime, the defendant continues to visit the DOC health center at least on a weekly basis.

The government continues to work with defense counsel on any issues that rise concerning the defendant's health. After the incident on October 26, 2022, defense counsel emailed the undersigned attorney, who then contacted DOC. DOC promptly rescheduled the appointment.

The defendant assents to this motion.

For the above reasons, the government respectfully requests that the Court to revise its August 5, 2022, court order ordering the government to provide status updates as to the defendant's medical condition from once every two weeks to once a month.

Respectfully submitted,

MATTHEW GRAVES,
United States Attorney

By: /s/ Lucy Sun

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CERTIFICATE OF SERVICE

I, Lucy Sun, hereby certify that on this day, November 4, 2022, I caused a copy of the foregoing document to be served on the defendant’s attorney, William Shipley, via ECF.

By: /s/ Lucy Sun
Lucy Sun