

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

UNITED STATES OF AMERICA)	
)	
)	
v.)	Case No. 21-cr-00040-TNM
)	
DAVID MEHAFFIE,)	
)	
Defendant)	
)	

**DEFENDANT DAVID MEHAFFIE’S MOTION TO MODIFY TERMS
AND CONDITIONS OF PRETRIAL RELEASE**

John M. Pierce
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Attorney for Defendant

UNITED STATES DISTRICT FOR THE DISTRICT OF COLUMBIA UNITED STATES OF AMERICA))) v.) Case No. 21-cr-00040-TNM) DAVID MEHAFFIE,)) Defendant)) DEFENDANT DAVID MEHAFFIE'S MOTION TO MODIFY TERMS AND CONDITIONS OF PRETRIAL RELEASE John M. Pierce 21550 Oxnard Street 3rd Floor, PMB #172 Woodland Hills, CA 91367 Tel: (213) 400-0725 Email: jpierce@johnpiercelaw.com Attorney for Defendant NOW comes Defendant, David Mehaffie, by and through his counsel of record, John M. Pierce, Esq., respectfully requesting this Honorable Court to modify his current conditions of release. Removal of Ankle Monitor in support of this Motion, the Defendant would like the Court to consider the following items: First, the Defendant does not have a criminal history. Secondly, the Defendant has made every court appearance in connection to this case. Thirdly, the Defendant is not a danger to the community. While Defendant is charged with one count of assault, the government has yet to provide any written, photo, or video evidence that support such crime they allege. Fourth, the Defendant does not have a passport and has agreed to not attempt to obtain one. Fifth, Defendant has ties to the community and has been successfully self-employed as a contractor for several years and having completed several jobs since the beginning of this case. Sixth, the Defendant has complied with all of the conditions of release, including electronic monitoring, for approximately twelve months. Seventh, the statute governing pretrial release explicitly states that a judicial officer who determines conditions are necessary to assure appearance in court or the safety of the community for a particular defendant, "shall order the pretrial release of the person not subject to the least restrictive further condition, or combination of conditions. . . ." 18 U.S.C. § 3142(c)(1)(B) (emphasis added). 1 CONCLUSION Mr. Mehaffie has demonstrated that he will comply with the conditions of his pretrial release and the need for continued location monitoring is more restrictive than necessary to ensure his appearance before this court and for the safety of the community. Wherefore, Mr. Mehaffie respectfully requests this honorable Court to grant his motion to modify the conditions of his pretrial release by eliminating the need for GPS monitoring. Date: March 7, 2022 Respectfully Submitted, John M. Pierce 21550 Oxnard Street 3rd Floor, PMB #172 Woodland Hills, CA 91367 Tel: (213) 400-0725 Email: jpierce@johnpiercelaw.com Attorney for Defendant 2 CERTIFICATE OF SERVICE I, John M. Pierce, hereby certify that on this day, March 7, 2022, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system. /s/ John M. Pierce John M. Pierce 1

Removal of Ankle Monitor

In support of this Motion, the Defendant would like the Court to consider the following items:

First, the Defendant does not have a criminal history. Secondly, the Defendant has made every court appearance in connection to this case. Thirdly, the Defendant is not a danger to the community. While Defendant is charged with one count of assault, the government has yet to provide any written, photo, or video evidence that support such crime they allege. Fourth, the Defendant does not have a passport and has agreed to not attempt to obtain one. Fifth, Defendant has ties to the community and has been successfully self-employed as a contractor for several years and having completed several jobs since the beginning of this case. Sixth, the Defendant has complied with all of the conditions of release, including electronic monitoring, for approximately twelve months. Seventh, the statute governing pretrial release explicitly states that a judicial officer who determines conditions are necessary to assure appearance in court or the safety of the community for a particular defendant, "shall order the pretrial release of the person not subject to the least restrictive further condition, or combination of conditions. . . ." 18 U.S.C. § 3142(c)(1)(B) (emphasis added). 1 CONCLUSION Mr. Mehaffie has demonstrated that he will comply with the conditions of his pretrial release and the need for continued location monitoring is more restrictive than necessary to ensure his appearance before this court and for the safety of the community. Wherefore, Mr. Mehaffie respectfully requests this honorable Court to grant his motion to modify the conditions of his pretrial release by eliminating the need for GPS monitoring. Date: March 7, 2022 Respectfully Submitted, John M. Pierce 21550 Oxnard Street 3rd Floor, PMB #172 Woodland Hills, CA 91367 Tel: (213) 400-0725 Email: jpierce@johnpiercelaw.com Attorney for Defendant 2 CERTIFICATE OF SERVICE I, John M. Pierce, hereby certify that on this day, March 7, 2022, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system. /s/ John M. Pierce John M. Pierce 1

evidence that support such crime they allege.

Fourth, the Defendant does not have a passport and has agreed to not attempt to obtain one.

Fifth, Defendant has ties to the community and has been successfully self-employed as a contractor for several years and having completed several jobs since the beginning of this case.

Sixth, the Defendant has complied with all of the conditions of release, including electronic monitoring, for approximately twelve months.

Seventh, the statute governing pretrial release explicitly states that a judicial officer who determines conditions are necessary to assure appearance in court or the safety of the community for a particular defendant, "shall order the pretrial release of the person . . . subject to the *least restrictive* further condition, or combination of conditions . . ." 18 U.S.C. § 3142(c)(1)(B) (emphasis added).

CONCLUSION

Mr. Mehaffie has demonstrated that he will comply with the conditions of his pretrial release and the need for continued location monitoring is more restrictive than necessary to ensure his appearance before this court and for the safety of the community. Wherefore, Mr. Mehaffie respectfully requests this honorable Court to grant his motion to modify the conditions of his pretrial release by eliminating the need for GPS monitoring.

Date: March 7, 2022

Respectfully Submitted,



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Attorney for Defendant

CERTIFICATE OF SERVICE

I, John M. Pierce, hereby certify that on this day, March 7, 2022, I caused a copy of the foregoing document to be served on all counsel through the Court's CM/ECF case filing system.

/s/ John M. Pierce
John M. Pierce