

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL NO. 1-21-cr-567-2 (RCL)
	:	
CHARLES SMITH	:	
	:	
_____	:	

DEFENDANT’S UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE

Charles Smith, by and through undersigned counsel respectfully requests that the Court modify the conditions of release in this matter, specifically to allow the Mr Smith to leave his home to attend his sister’s graduation, and to specify the home confinement condition is to include the porch/deck of his home. In support of this Motion, Mr Smith states the following:

1. On 16 September, 2021, the Court released Mr Smith with the condition of home confinement at his residence with GPS monitoring. Other conditions included a stay-away from the District of Columbia and co-defendants, not to possess a firearm, random drug testing, not to use any illegal substance, and to not travel without pretrial approval. Mr Smith is being supervised by U.S. probation in the Middle District of Pennsylvania. Counsel has consulted with Mr Smith’s supervision officer, Mr John Johnson. Mr Johnson informs to date, Mr Smith is fully compliant with conditions.

2. Mr Smith requests permission of the Court to leave his home for on the afternoon of Saturday, 7th May 2022 to attend his sister’s graduation. Mr Smith’s sister is to graduate from Shippensburg University. The event is scheduled to start at 11am and runs through the early/mid

afternoon. The college is in the same town as the residence, approximately 5 miles from the house. Mr Johnson does not oppose this request.

3. In addition to the request to attend the graduation, Mr Smith asks the Court to address the issue of the curtilage of his house. On the evening of his sister's graduation, the family are holding a reception on the deck of the family home where Mr Smith resides. Mr Smith requests the Court allow his attendance along with attending the graduation itself. However, as a general matter, with the improved weather conditions at this time of year, Mr Smith would like to take advantage of the deck/porch on a regular basis. Mr Smith has approached his case officer, Mr Johnson. Mr Johnson does not oppose the use of the deck/porch in principle, but has concerns the current order as worded does not permit Mr Smith to access the deck without being in violation. Mr Smith requests the Court add language to, or clarify, the current order to include the deck/porch in its home confinement condition.

4. Counsel has conferred with the assigned AUSAs, Ms Courtney Lee and Mr Seth Mineiro. Ms Lee and Mr Mineiro do not oppose these requests. The parties have agreed there will be a 10pm curfew with respect to the graduation.

WHEREFORE, Charles Smith respectfully requests that he be permitted to leave his home on 7 May 2022 from for the purposes of attending the above-described graduation, and to specify on the Court's home confinement order that the deck/porch of the residence is included in the home confinement condition.

Respectfully Submitted,

/s/ Peter A. Cooper

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion to Modify Conditions of Release is being filed via the Electronic Court Filing System (ECF), causing a copy to be served upon government counsel of record, this 2nd day of May, 2022.

/s/ Peter A. Cooper

Peter A. Cooper