

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 21-cr-722-01 (TFH)
 Rafael Rondon,)
 defendant.)

UNOPPOSED MOTION TO MODIFY CONDITION OF RELEASE

Defendant, through undersigned counsel Nathan I. Silver, II, Esq. (“counsel”), appointed by this Court under the Criminal Justice Act, respectfully moves the Court to modify the condition of release that requires defendant to verify his address with the Pretrial Services Agency in this case. The reason follows

The defendant has been released on “USDC General Supervision” (personal recognizance) with, among others, the following condition: “Notify in advance the Northern District of New York of any travel outside that jurisdiction. All travel outside the continentia (sic) U.S. must be approved by the Court.” (*See* ECF Doc. 21, page 1, filed Dec. 14, 2021)

The defendant has enrolled in the welding program at Indian River State College (Massey campus), in Ft. Pierce, FL.¹ The program is scheduled to begin March 16, 2022. Defendant has arranged temporary housing in a condominium apartment on Hutchinson Island, about fifteen minutes drive from the Massey campus. He plans to live there until he is able to arrange for either a dormitory room (when available) on the campus itself or in a separate apartment.

The defendant is enrolled in the night program at the college, which holds classes from 5:30 to 10:30 p.m. nightly. He plans to work part- or full-time during the day. The defendant will work for his family’s friend, Thomas Tuten, a contract driver with Interstate Express of

¹ <https://irsc.edu/programs/welding.html>

Stuart, FL, with that business, who confirmed to counsel by telephone that he is prepared to hire the defendant as a driver and warehouse worker. Mr. Tuten employs thirteen other persons in his outfit.

Relocating to Ft. Pierce will mean that a pretrial services officer of the Southern District of Florida will provide “courtesy” supervision of the defendant while he attends the welding program and lives in the Ft. Pierce area.

Inasmuch as defendant’s plans do not involve mere “travel outside the jurisdiction,” which requires only notice to the NDNY but relocation, the defendant seeks this Court’s permission to move to Florida so that he may enroll in the welding program, towards which the defendant has already paid his tuition and fees.

Defendant therefore requests that, subject to verification by the Pretrial Services Agency of the Northern District of New York, which is providing courtesy supervision in this case, the Court permit him to relocate to Ft. Pierce, FL, for the purpose of enrolling in the welding course at the Indian River State College.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Christopher Brown, Esq., U.S. Attorney's Office for the District of Columbia, attorney of record for the United States, attorney for codefendant Christopher Logsdon, this 25th day of February, 2022.

/s/

Nathan I. Silver, II