

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA	:	
	:	CASE NO. 21-CR-669-TJK
v.	:	
	:	
KIM MICHAEL SORGENTE,	:	
	:	
Defendant.	:	

EX PARTE APPLICATION TO MODIFY CONDITION OF RELEASE;

DECLARATION OF MICHAEL BO GRIFFITH

Defendant Kim Sorgente, by and through his attorney of record, Deputy Federal Public Defender, Michael Bo Griffith, hereby applies to the Court for an Order that Mr. Sorgente conditions of release be modified to: 1) allow for travel outside the Central District of California from August 12 through August 19, 2022, and 2) remove the condition of location monitoring.

Pre-trial services opposes this request. Defense requested the Government’s position via email on August 5, 2022 but has not received a response as of this filing.

Respectfully submitted,

DATED: August 8, 2022

/s/ M. Bo Griffith

CUAUHTEMOC ORTEGA
Federal Public Defender
(Cal. Bar No. 257443)
(E-Mail: Cuauhtemoc_Ortega@fd.org)
MICHAEL BO GRIFFITH
Deputy Federal Public Defender
(Cal. Bar No. 315358)
(E-Mail: Bo_Griffith@fd.org)
Office of the Federal Public Defender
411 West Fourth St., Suite 7110
Santa Ana, CA 92701
Telephone: (714) 338-4500
Facsimile: (714) 338-4520

DECLARATION OF MICHAEL BO GRIFFITH

I, M. Bo Griffith, declare:

1. I am a Deputy Federal Public Defender with the Office of the Federal Public Defender for the Central District of California and our office has been appointed to represent Kim Michael Sorgente in this matter.

2. Mr. Sorgente was arrested on October 25, 2021, in the Central District of California. [Docket No. 3].

3. On October 26, 2021, he made his initial appearance in the Central District of California and was released pursuant to certain conditions.

4. On November 4, 2021, Mr. Sorgente appeared telephonically for a bail hearing in the District of Washington, D.C. He was to remain released on certain conditions. One of those conditions was that he participate in Global Positioning System (“GPS”) monitoring (“Location Monitoring”). [Docket No. 12 at 2-3 of 4].

5. On February 28, 2022, Mr. Sorgente had a hearing to review his release conditions and his conditions were modified slightly to require that Mr. Sorgente request approval from Pretrial Services one week prior to traveling outside the Central District of California, the Northern District of California, and the Districts in between.. [Text Only Order, dated February 28, 2022].

6. At the time of the February 28, 2022 hearing, the Pretrial Services Agency was recommending that Mr. Sorgente’s location monitoring condition be vacated. Defense Counsel Callie Steele, requested that the location monitoring condition be vacated, the government opposed, and the Court indicated that it would consider vacating the location monitoring condition when Mr. Sorgente secured stable housing.

7. Mr. Sorgente has since secured stable housing, where he has resided since February 25, 2022. [Docket No. 26 at 2 of 3].

8. As of 7/28/22, the CDCA reports Mr. Sorgente has reported as directed. [Docket No. 30 at 2 of 3].

9. On August 2nd, 2022 Mr. Sorgente requested approval from his Pretrial Services Officer, Dario Olguin, to travel by car to the Idaho Panhandle National Forest from August 12 through August 19, 2022. Officer Olguin denied his request.

10. Mr. Sorgente planned to travel to the following location between August 12 and August 19: Sacramento, CA; Redding, CA; Spokane, Washington; Coeur d'Alene, Idaho; Lake Pend Oreille, Idaho; Idaho Panhandle National Forest.

11. Mr. Sorgente is experiencing detrimental health effects related to stress, requiring an electrocardiogram (ECG or EKG) on August 5, 2022.

12. I conferred with Officer Olguin on August 5, 2022 regarding this request. Pretrial Services opposes this request.

13. I attempted to conferred with Assistant United States Attorney Benet Kearney regarding this request on August 5, 2022. I have not received a response regarding the Government's position.

14. For these reasons, Mr. Sorgente requests that the Court order location monitoring condition be vacated, and modify considers to allow Mr. Sorgente to travel to the Idaho Panhandle National Forest from August 12 through August 19, 2022.

Executed on August 8, 2022, at Santa Ana, California.

/s/ M. Bo Griffith
Michael Bo Griffith
Deputy Federal Public Defender