

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 1:21-cr-00682-TFH
	:	
PHILIP JAMES WEISBECKER,	:	
	:	
Defendant.	:	

**GOVERNMENT RESPONSE TO MOTION FOR RETURN OF PASSPORT AND
CLARIFICATION OF SPECIAL CONDITIONS OF PROBATIONCLARIFICATION**

The United States of America, by and through the United States Attorney for the District of Columbia, responds to Defendant Philip James Weisbecker’s (“Weisbecker”) Motion for Return of Passport and Clarification of Special Conditions of Probation, and in support thereof shows unto the Court:

RELEVANT BACKGROUND

On November 8, 2021, the Government filed a four-count Information that charged Weisbecker violated 18 U.S.C. §§ 1752(a)(1) and (2) and 40 U.S.C. §§ 5104(e)(2)(D) and (G). ECF No. 14. On March 3, 2021, Weisbecker pleaded guilty to Count Four of the Information, which charged him with a violation of 40 U.S.C. § 5104(e)(2)(G), Parading, Demonstrating, or Picketing in the Capitol Building.

On June 27, 2022, after a lengthy hearing, the Court sentenced Weisbecker, in relevant part, to 24 months’ probation and as a condition of his probation ordered Weisbecker to serve 30 days of intermittent incarceration with 7 days credit for time served.

On July 6, 2022, Weisbecker filed a motion seeking the return of his passport and for clarification the special conditions of probation imposed regarding his possession of firearms, drug testing, and the intermittent confinement. ECF No. 35.

On July 8, 2022, the Court issued the judgment which resolved many of the issues raised in Weisbecker's motion. ECF No. 36. The judgment, however, did not address the return of Weisbecker's passport.

RESPONSE TO MOTION

Regarding Weisbecker's passport, the passport is in the position of pretrial services and the Government takes no position on its return to Weisbecker.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

By: /s/ Michael G. James
MICHAEL G. JAMES
Assistant United States Attorney
N.Y. Reg. No. 2481414
Office of the United States Attorney
Eastern District of North Carolina
(on detail to the USAO-D.C.)
150 Fayetteville Street, Suite 2100
Raleigh, NC 27601
Mike.James@usdoj.gov