

The government notes that Defendant is required – in the pending matter in the State of Maine – to submit to a mental health evaluation and comply with recommended treatment. Gov’t Mot. at 1-2. But the government has not requested that this Court impose that condition. Instead, it asks the Court to impose a *different* condition – drug testing and substance abuse treatment – which has *not* been imposed by the State of Maine.

The government’s sole justification for the addition of this condition is the fact that the Defendant declined – on advice of counsel – to answer questions about drug use posed by the U.S. Probation Office in Maine. But the Defendant has no record of drug abuse, and no prior arrests or convictions for drug offenses, and the government offers no information suggesting that any hypothetical use of illegal drugs by Defendant might cause him to fail to appear as required, or endanger the community.

In sum, the government has made no showing that the “the least restrictive . . . combination of conditions” that will “reasonably assure” Defendant’s appearance and the safety of the community, 18 U.S.C. § 3142(c)(1)(B), includes drug testing and substance abuse treatment. Therefore, Defendant respectfully objects to the imposition of this condition.

Date: May 19, 2022

Respectfully submitted,

/s/ Paul F. Enzinna

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CERTIFICATE OF SERVICE

I certify that on May 19, 2022, a copy of the foregoing Defendant's Response to Government's Motion to Modify Conditions of Release was filed using the CM/ECF system, which will then send notification of such filing to all counsel of record.

Dated: May 19, 2022

Respectfully submitted,

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