

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)
)
 v.) 1:22-CR-00224-DLF-1
)
JOSHUA COLGAN)

**MOTION TO AMEND CONDITIONS OF PROBATION TO PERMIT
MEDICAL MARIJUANA USAGE**

Mr. JOSHUA GOLGAN respectfully moves this Court to modify his conditions of probation such that he be permitted to use Medical Marijuana under the supervision of Dr. Spiegel and Counselor Rosania.

I. Relevant Procedural History

On April 25, 2023, this Court sentenced Mr. Colgan to serve 36 months of probation, to include “28 days of intermittent confinement in two periods of 14 days each, and 9- days of home detention;” along with standard and special conditions of supervision. (J. in Crim. Case., ECF No. 44.) Those conditions include, *inter alia*, that Mr. Colgan “participate in an inpatient and/or outpatient substance abuse treatment program and follow the rules and regulations of that program;” and that he “submit to substance abuse testing to determine if [he has] used a prohibited substance.” *Id.*

II. Memorandum of Law and Argument

Mr. Colgan, who has complied with all conditions of probation, requests that this Court amend the conditions of his probation and allow him the use of medical marijuana, as has been prescribed by his treating physician, Dr. Spiegel, to treat his panic disorder.

Mr. Colgan's therapist has specifically stated "Mr. Colgan was approved for Medical Marijuana Certification;" and that Mr. Colgan has previously attempted (under supervision of medical professionals) the use of "psychotropic medication to manage [his panic disorder]," but the attempts were unsuccessful due to side effects. Counselor Rosania further states that she "[does] not have any current concerns regarding his request to use medical marijuana." (See Letter from LCSW Julie Rosania, Exhibit A.)

III. Opposing Party's Position

The Government and Probation take no position on this request and defer to the Court's judgment.

IV. Conclusion

Mr. Colgan prays that this Court issue an order accordingly.

Date: July 28, 2023

Respectfully submitted,

s/Murdoch Walker II, Esq.

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CERTIFICATE OF SERVICE

I certify that on July 28, 2023, I electronically filed the foregoing MOTION TO AMEND CONDITIONS OF PROBATION TO PERMIT MEDICAL MARIJUANA USAGE with the Clerk of the United States District Court for the District of Columbia by way of the CM/ECF system, which automatically will serve this document on the attorneys of record for the parties in this case by electronic mail.

Date: July 28, 2023

Respectfully submitted,

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