

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	
PLAINTIFF,	:	
	:	
v.	:	Case No.: 1:22-cr-00210-TSC
	:	
LETICIA VILHENA FERRERIA,	:	
	:	
DEFENDANT.	:	
_____	:	

[CORRECTED] MOTION FOR THE RETURN OF DEFENDANT  
LETICIA VILHENA FERREIRA’S SURRENDERED PASSPORT

Defendant Leticia Vilhena Ferreira, through counsel, respectfully moves this Court for an order to release Ms. Ferreira’s surrendered passport for use as identification for travel on or about December 1, 2022, to self-report to a Bureau of Prison facility to begin serving her 14-days sentence. In support of the motion, the defense states as follows:

**I. BACKGROUND**

Ms. Ferreira was arrested on February 16, 2022. As a condition of her release, Ms. Ferreira surrendered her passport to Pretrial Services. On June 22, 2022, Ms. Ferreira plead guilty to one count of Parading, Demonstrating, or Picketing in a Capitol Building (Count 1 of the Information) pursuant to Federal Rule of Criminal Procedure 11(c)(1)(B). This offense carries a maximum term of imprisonment of six months pursuant to 40 U.S.C. §§5104(e)(2)(G) and 5109(b); a maximum fine of \$5,000 pursuant to 18 U.S.C. §3571(b). On October 6, 2022, Ms. Ferreira was sentenced to, among other things, 14 days of incarceration. On October 21, 2022, Ms. Ferreira received her

Notice of Designation and Date to Report to FCI Aliceville, located in Aliceville, Alabama, on December 1, 2022.<sup>1</sup>

Ms. Ferreira is a Brazilian citizen who is in the United States on a temporary work Visa. Her primary form of identification is her passport. As stated above, she surrendered her passport to Pretrial Services as one of her conditions of pretrial release. Ms. Ferreira does have an Illinois driver's license with "Federal Limits" stamped on it. That license expired on July 10, 2022. Although TSA rules permit the use of expired drivers licenses, with certain restrictions, as a form of identification for travel, Ms. Ferreira is not a United States citizen, and has the "Federal Limits" stamped on her expired license. TSA Security Officers are too unpredictable at the airports. Out of an abundance of caution, and to ensure that she reports to the BOP facility on time, Ms. Ferreira needs her passport to travel to the designated BOP facility.

## **II. RELEASE OF PASSPORT IS CRITICAL IN THIS CASE**

This Court has the authority to modify Ms. Ferreira's Judgement and Commitment order to require the custodian of Ms. Ferreira's passport to temporarily return it to her to enable her to serve her 14-day sentence. In the instant case, the temporary release of her passport to permit her to self-surrender to BOP is appropriate and necessary. Ms. Ferreira is not a flight risk. She has been and continues to be in full compliance with all conditions of her pretrial and post-sentencing release conditions. She has no prior contact with the criminal justice system. She is facing two weeks in prison and will not risk exposure to additional and more severe penalties for failure to comply with her self-reporting obligations or following probation. Ms. Ferreira has no desire or

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<sup>1</sup> Ms. Ferreira has a pending unopposed motion before the Court requesting that the Court order BOP to place Ms. Ferreira in a facility closer to her home in Illinois.

intent to flee when both of her parents reside in the United States, and she owns the condominium where she resides in Illinois.

There is no longer any need for the Court to require that Ms. Ferreira return her passport after serving her prison sentence. Ms. Ferreira already knows her punishment and is prepared to serve her 14-days sentence and the following probation. Ms. Ferreira understands the terms of her probation and will notify her probation officer of all future travels.

### III. CONCLUSION

Ms. Ferreira needs her passport to self-report to a BOP facility on or about December 1, 2022. There is no further need for Ms. Ferreira to return her passport to its current custodian after serving her 14-days sentence. However, Ms. Ferreira is prepared to return the passport to its current custodian if the Court so requires, at the conclusion of serving her 14-day sentence.

Accordingly, Defense counsel respectfully request that the instant motion be granted.

Dated: November 21, 2022

Respectfully submitted,

*Lionel André*

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 21, 2022, I caused a true and correct copy of the foregoing motion to be served via the Court's ECF system to all counsel of record in this matter.

/s/ Lionel André