

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

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

Mr. JOSHUA GOLGAN respectfully renews his motion and 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;” that he “submit to substance abuse testing to determine if [he has] used a prohibited substance.” *Id.*

On July 28, 2023, Mr. Colgan filed the initial version of this motion, requesting the same modification. (ECF No. 47.) That same day, the Court issued a Minute Order, which stated:

Upon consideration of the defendant's 47 Motion to Amend Conditions of Probation to Permit Medical Marijuana Usage, the motion is DENIED without prejudice. In support of his motion, the defendant has provided only a 48 letter from his licensed clinical social worker. Any renewed motion to amend the conditions of his probation should include documentation from the defendant's treating physician, Jeremy Spiegel, M.D., approving the defendant's use of medical marijuana.

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.)

Mr. Colgan, pursuant to the Court's Order, attaches hereto a medical plan from his treating physical, Dr. Jeremy Spiegel, M.D. Specifically, in this plan, Dr.

Spiegel discusses his plan to use and treat Mr. Colgan's PTSD with medical marijuana and anticipated treatment plan.

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: August 4, 2023

Respectfully submitted,

s/Murdoch Walker II, Esq.

Murdoch Walker II, Esq.

Ga. Bar # 163417

mwalker@lowtherwalker.com

Lowther | Walker LLC

101 Marietta St., NW, Ste. 3325

Atlanta, GA 30303

O 404.496.4052

www.lowtherwalker.com

Attorney for Defendant

Joshua Colgan

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CERTIFICATE OF SERVICE

I certify that on August 4 2023, I electronically filed the foregoing
RENEWED 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: August 4, 2023

Respectfully submitted,

s/Murdoch Walker II, Esq.

Murdoch Walker II, Esq.

Ga. Bar # 163417

mwalker@lowtherwalker.com

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