

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

United States of America)
)
 v.) USDC No. 22-cr-207-02 (CRC)
 Matthew Bokoski,)
 defendant.)

UNOPPOSED MOTION TO MODIFY CONDITION OF RELEASE

Defendant, through undersigned counsel Nathan I. Silver, II, Esq. (“counsel”), appointed by this Court under the Criminal Justice Act, respectfully moves the Court to modify, with no opposition from the United States, the condition of release that restricts his ability to travel during the pendency of this case. The reasons follow.

1. Defendant is charged in a four-count criminal information with misdemeanor offenses the government alleges he committed on January 6, 2021, at the United States Capitol. Those offenses are Entering and Remaining in a Restricted Building or Grounds; Disorderly and Disruptive Conduct in a Restricted Building or Grounds; Disorderly Conduct in a Capitol Building; and Parading, Demonstrating, or Picketing in a Capitol Buildings, violations of 18 U.S.C. §§ 1752(a)(1) and (a)(2), and 40 U.S.C. §§5104(e)(2)(D) and (e)(2)(G), respectively. Defendant and his father, Bradley Bokoski, are charged as co-defendants with identical offenses.

2. Defendant appeared on June 7, 2022, for his initial appearance in the instant case before Mag. Judge Zia M. Faruqui.¹ Judge Faruqui was charged with determining, under 18 U.S. §3142(c)(1)(B)², “the *least restrictive* further condition, or combination of conditions, that...will reasonably assure the appearance of the person as required and the safety of any other person and

¹ The defendant had a Rule 5 hearing in the Northern District of Illinois (Chicago) before appearing here.

² Pretrial Services recommended, and the government did not oppose, the defendant's release with conditions.

the community, which may include the condition that the person... ¶7(t) - Defendant must obtain approval from PSA for the Northern District of Illinois (“NDIL”) in advance of/ for any and all travel outside of the Northern District of Illinois. - Defendant must receive Court approval before travel outside of the Continental United States.” (ECF, Doc. 17, filed June 7, 2022) This condition corresponded to the travel restriction imposed by the NDIL at the Rule 5 hearing held on May 25, 2022. (ECF Doc. 7, Rule 5 documents, “Order Setting Conditions of Release,” ¶7(f), page 20)

3. The defendant has no criminal record. Of such defendants charged in the January 6 cases, the government and the D.C. Pretrial Services Agency have requested what they characterize as a “standard condition” a travel restriction that requires notice to, not the approval of, the supervising PSA officer in the defendant’s district for travel outside that district. Court approval is necessary generally for travel outside the continental United States or internationally. It appears that the Court here at the initial appearance adopted the restriction imposed first by the Court in Illinois.

4. In the circumstances, the defendant seeks a relaxation of the travel restriction, one which would conform to the standard condition imposed in such cases, namely, a requirement that he notify PSA in advance of travel outside the Northern District of Illinois, subject to the restriction on travel outside the continental United States or internationally.³

5. The government does not oppose this motion.

14. For the reasons stated above, the defendant urges the Court to modify the travel restriction in this case.

³ The PSA report from NDIL reflects that defendant surrendered his passport, as ordered, on May 27, 2022.

A proposed Order is attached.

WHEREFORE, the defendant respectfully moves the Court to grant said relief.

This pleading is,

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing pleading has been served via ECF on Jason M. Crawford, Esq., DOJ-CIV (Fraud Section), attorney of record for the United States, this 28th day of July, 2022.

/s/

Nathan I. Silver, II