

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

Case No: 1:22-cr-11-RJL

ZACHARY DAVID JOHNSON
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**UNOPPOSED MOTION FOR MODIFICATION OF
UNITED STATES MAGISTRATE JUDGE'S ORDER OF RELEASE
AND MEMORANDUM OF LAW**

COMES NOW, Zachary David Johnson, the Defendant, by and through undersigned counsel, and hereby moves this Court for a modification of the Honorable United States Magistrate Judge's Order of Release, specifically to allow Mr. Johnson to spend up to 3 days per week with his (previously estranged) wife and child. As grounds in support thereof, Mr. Johnson would state the following:

1. On January 15, 2022, Mr. Johnson appeared before Honorable United States Magistrate Judge Julie S. Sneed in the District Court, Middle District of Florida, Tampa Division, for a Rule 5(c) proceeding. Mr. Johnson was released on conditions of release and ordered to appear by video for his initial appearance before this Court on January 20, 2022. *See United States v. Zachary David Johnson*, 8:22-mj-1039-JSS, Doc. 8.
2. On January 20, 2022, Mr. Johnson appeared before the Court for an initial appearance and detention hearing. Doc. 14. Conditions of Release were fashioned by Honorable United States Magistrate Judge G. Michael Harvey. Those conditions included, without limitation, home detention which requires Mr. Johnson to be at his residence at all times except for employment, education, religious services, medical, substance abuse, mental health

treatment, attorney visits, court appearances, court-ordered obligations, or other activities approved in advance by pretrial services. Doc. 14, page 2.

3. Since January 20, 2022, Mr. Johnson has fully reconciled with his previously estranged wife—Lauren Crolley Johnson. As a result, Mr. Johnson would respectfully move the Court to allow him to serve his home detention for up to 3 days each week at his wife’s residence with their child. Her address is 7338 Gunstock Drive, Lakeland, Florida 33809.
4. Defense Counsel has been in contact with Assistant United States Attorney Michael Gordon, representing the United States. Assistant United States Attorney Gordon has advised counsel that he has spoken to Mr. Johnson’s Pretrial Officer—Nathan Dodson—and that the United States and Pretrial Officer Dodson have no objection to Mr. Johnson’s request provided (1) Mr. Johnson contacts Pre-Trial and receives clearance at least 3 days in advance of any night he spends with his wife and child at her residence instead of at his home; and (2) that he spends no more than 3 nights per week with them. Moreover, if Mr. Johnson plans on regularly visiting with his wife and child, Mr. Johnson shall establish a regular weekly schedule with Pre-Trial. Finally, if Mr. Johnson elects to spend more than 3 days a week with his wife and child, then Mr. Johnson shall file a motion with the Court asking to move in with them and change his address with the Court. Mr. Johnson has no objection to any of these conditions enumerated by Assistant United States Attorney Gordon.

MEMORANDUM OF LAW

Under United States Code 18 U.S.C. § 3142(c)(3), “[t]he judicial officer may at any time amend the order to impose additional or different conditions of release.” Mr. Johnson submits that he has established good cause for modification of his current conditions of release.

Wherefore, pursuant to the conditions enumerated by the Government and Pretrial Officer Dodson above, Mr. Johnson would respectfully move the Court to allow modification of his conditions of release such that Mr. Johnson could serve his home detention for up to 3 days each week at his wife’s residence—7338 Gunstock Drive, Lakeland, Florida 33809—with their child.

Respectfully submitted,

A. Fitzgerald Hall
Federal Defender
Middle District of Florida

/s/ G. Ellis Summers, Jr.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of May, 2022, the foregoing was electronically filed with the Clerk of Court and a copy will be sent electronically to Michael Gordon, Assistant United States Attorney, 400 North Tampa Street, Tampa, FL 33602, and Nadia Moore, Assistant United States Attorney, 271 Cadman Plaza East, Brooklyn, New York, 11201.

/s/ G. Ellis Summers, Jr.
G. Ellis Summers, Jr., Esquire
Assistant Federal Defender