

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

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

ZACHARY DAVID JOHNSON

**UNOPPOSED MOTION FOR TEMPORARY 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 temporary modification of the Honorable United States Magistrate Judge's Order of Release, specifically to allow Mr. Johnson to have an MRI examination completed on his foot and knee on June 11, 2022 at 2:00 p.m. and on his neck on June 16, 2022 at 4:30 p.m., which will require temporary removal of his GPS monitor for purposes of the MRI examinations. 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. Mr. Johnson is also required to wear a GPS monitor at all times. Doc. 14, page 3.

3. On May 20, 2022, Mr. Johnson was involved in a car accident, which resulted in his foot being broken and pain in his neck and knee.
4. On June 11, 2022, Mr. Johnson is scheduled for an MRI examination on his knee and foot at BayCare Imaging, 900 Carillon Parkway, St. Petersburg, Florida 33716 at 2:00 p.m.
5. On June 16, 2022, Mr. Johnson is scheduled for an MRI examination on his neck at BayCare Imaging, 900 Carillon Parkway, St. Petersburg, Florida 33716 at 4:30 p.m.
6. Mr. Johnson has been advised that the GPS monitor is not permitted in the MRI machine. As a result, Mr. Johnson respectfully requests that he be able to temporarily remove the GPS Monitor or have United States Pretrial Services temporarily remove the GPS Monitor for the limited purpose of completing each MRI Examination on June 11, 2022 and June 16, 2022. As soon as each MRI examination is complete, Mr. Johnson would immediately reinstall the GPS Monitor on his body pursuant to his conditions of release.
7. Defense Counsel has been in contact with Assistant United States Attorney Nadia Moore, and Assistant United States Attorney Michael Gordon, both representing the United States. Assistant United States Attorney Moore has advised counsel that the Government has no objection regarding the relief sought by Mr. Johnson.

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 a temporary modification of his current conditions of release.

Wherefore, Mr. Johnson would respectfully move the Court to allow temporary modification of his conditions of release such that Mr. Johnson will be able to temporarily remove the GPS Monitor or have United States Pretrial Services temporarily remove the GPS Monitor for the limited purpose of completing each MRI Examination on June 11, 2022 and June 16, 2022. As soon as each MRI examination is complete, Mr. Johnson would immediately reinstall the GPS Monitor on his body pursuant to his conditions of release.

Respectfully submitted,

A. Fitzgerald Hall, Esq.
Federal Defender
Middle District of Florida

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

I HEREBY CERTIFY that on the 31st 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., Esq.
Assistant Federal Defender