

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	:	
	:	
v.	:	No. 22-mj-00203-GMH
	:	
THOMAS CAREY,	:	
Defendant.	:	

**MOTION FOR AUTHORIZATION FOR INTERNATIONAL TRAVEL
AND FOR THE TEMPORARY RELEASE OF HIS U.S. PASSPORT
WITH INCORPORATED MEMORANDUM OF POINTS AND AUTHORITIES**

COMES NOW Defendant, Thomas Carey , by and through his attorney, Allen H. Orenberg, of The Orenberg Law Firm, P.C., and hereby respectfully moves this Honorable Court for the entry of an Order granting authorization for international travel and for the temporary release of his U.S. passport, so that defendant, may travel abroad as more fully described below.

1. The Government indicates they oppose this motion, per AUSA Joseph Hong Huynh.
2. On September 12, 2022, a Complaint (Doc. 1) was filed as to Mr. Carey alleging violations of four federal misdemeanors in connection with the events of January 6, 2021, as follows: (Count 1) 18 U.S.C. § 1752(a)(1) (Entering or Remaining in a Restricted Building or Grounds), (Count 2) 18 U.S.C. § 1752(a)(2) (Disorderly and Disruptive Conduct in a Restricted Building or Grounds), (Count 3) 40 U.S.C. § 5401(e)(2)(D) (Disorderly Conduct in a Capitol Building), and (Count 4) 40 U.S.C. § 5401(e)(2)(G) (Parading, Demonstrating or Picketing in a Capitol Building).
3. On September 22, 2022, the Court (M.J. Harvey) released the defendant on his personal recognizance with several conditions. (Doc. 22) Although not ordered by this

Court, the defendant reports he voluntarily surrendered his U.S. passport to the Clerk's Office in the U.S. District Court for the Western District of Pennsylvania on or about September 18, 2022. Counsel has communicated with Pre-Trial Services Officer Kacey Simpson (WDPA -- courtesy supervision)) who reports Mr. Carey is in full compliance of his conditions of release as set by this Court and by the U.S. District Court for the Western District of Pennsylvania.

The next Court date for Mr. Carey is a status hearing scheduled November 17, 2022 at 1:00 p.m., with the Magistrate Judge.

4. The defendant is requesting the Court's authorization for international travel to the countries of France and Switzerland for the period of time commencing on December 28, 2022, returning to the United States on January 16, 2023. He will fly commercial air (coach) from/to/from Charlotte, N.C. -- Basil, Switzerland. He will be staying with friends, in France, throughout the period of his trip. Counsel will provide specific information as to addresses, contacts abroad, etc., upon request by either the Court, the Government, or by the U.S. Pre-Trial Services Agency. Mr. Carey has not yet finalized his air travel plans, pending the Court's authorization for international travel as requested herein. If the Court grants this request, the defendant will provide his confirmed air travel plans to undersigned counsel and/or to the U.S. Pre-Trial Services Agency.

6. Mr. Carey relates that this is a "low-budget" trip utilizing economy coach airfare and he is staying with friends, in France, for the duration of the trip. He is paying for this trip from monrey he earned from summer jobs. (airfare is approx. \$600.00, plus food & incidentals).

7. The defendant assures the Court that he while he is abroad, he will stay in contact on a weekly basis or as otherwise directed by his U.S. Pre-Trial Services Officer and undersigned counsel by way of e-mail and/or telephone, and he will otherwise comply with all of the the terms and conditions of this Court's Release order of September 22, 2022.

8. If the Court grants this request for international travel, the defendant will need to have his U.S. passport in order to travel abroad. To the extent possible, he is asking that the Court instruct the Clerk's Office in the U.S. District Court for the Western District of Pennsylvania to release the U.S. passport to him on or before December 22, 2022 (early, because of the Christmas holiday period).

9. The defendant, will notify his U.S. Pre-Trial Services Officer (and his counsel) that he has indeed returned to the United States, within forty-eight (48) hours of his return to the United States.

10. Furthermore, the defendant will surrender his U.S. passport to the U.S. District Court Clerk's Office for the Western District of Pennsylvania, or to this Court if so directed, within seventy-two (72) hours of his return to the United States.

WHEREFORE, for the foregoing and any other reasons that may appear just and proper, undersigned counsel respectfully moves this Honorable Court for the entry of an Order granting to the defendant, granting authorization for international travel and for the temporary release of his U.S. passport, so that defendant, may travel abroad.

Respectfully submitted,

THE ORENBERG LAW FIRM, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on the 10th November 2012, a copy of the foregoing Motion for Authorization for International Travel and for the Temporary Release of his U.S. Passport with Incorporated Memorandum Of Points And Authorities, along with a proposed Order, was served to all case registered parties by CM/ECF.

Allen H. Orenberg