

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA

v.

Case No.: 8:21-CR-348-T-SCB-SPF

JEREMY BROWN

I

MOTION TO RECONSIDER BOND

COMES NOW, the Defendant, JEREMY BROWN, pursuant to 18 U.S.C. § 3142(f) and hereby asks this Honorable Court to allow him bond with any reasonable conditions that this Court deems appropriate, and in support thereof, the Defense asserts as follows:

1. This Honorable Court has considered bond in the past and ordered that the Defendant must be detained.
2. Now, the Defense requests that the hearing be re-opened as information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community.
3. This Honorable Court based the decision to hold the Defendant without bond, at least in part, on the Defendant's statements that he would not give up his Constitutional rights. In particular, the Defendant would not submit to GPS monitoring and would not relinquish his firearm rights.

4. The Defendant's position on these issues has changed. He will agree to give up these rights while on any release allowed by this Honorable Court and furthermore will comply with any conditions this Honorable Court deems appropriate. One of the reasons the Defendant's position has changed is because his mother is seriously ill and the Defendant fears she will die while he is in custody.
5. The Defendant's mother's health has substantially declined since July 2022, which is after the bond-related hearings in this case.
6. Counsel has spoken with the Defendant's mother, Ms. Lisa Brown, who resides at 317 Yellow Hammer Road, Tyner, North Carolina 27980.
7. Ms. Brown explained to counsel that she is 69 years old and will be 70 in September. She had a heart attack in 2016. Recently, on July 18, 2022, she had a right carotid to subclavian bypass. The surgery revealed blockages in vessels going to the brain. Additionally, there are blockages to the kidneys. She had to have a stent put in her renal kidney artery. The surgery she went through actually did not go as well as she had hoped - what was supposed to be a one or two night stay at the hospital turned into a stay that lasted from Monday July 18, 2022 through Sunday July 24, 2022 due to complications. Since her surgeries, and amongst her other health issues, her health has continued to decline. Her blood pressure is not controlled, she has poor balance, and she is blind in one eye (from a stroke in December 2021).
8. Ms. Brown lives with her 74-year old boyfriend. Her boyfriend is in poor health too, having had his own surgery on arteries in his legs on July 7, 2022.

9. The Defendant has informed counsel that a home health aid is coming out to his mother's house one or two days a week to check on his mother but that is not sufficient to take care of her. The aides check her vital signs and quickly check her condition but do not assist with any day to day tasks.
 10. The Defendant's mother lives in the extremely rural area of Tyner, North Carolina. The cardiac center she goes to for her medical treatments is in Greenville, North Carolina, which is at least a 90 minute drive.
 11. Mr. Brown respectfully requests release on bond with the requirement that he reside at his mother's property at 317 Yellow Hammer Road, Tyner, North Carolina 27980, wear a GPS, waive his firearm rights, and any other condition this Court deems appropriate.
 12. The Defense has communicated with counsel for the Government, Attorney Marcet, and he indicates the Government is in opposition to this Motion.
- Wherefore**, the Defense respectfully requests that this Honorable Court grant this Motion and release the Defendant on the terms set out above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing motion has been furnished by electronic filing using the CM/ECF system to all interested parties on this 11 day of August, 2022.

Respectfully submitted,



Melissa A. Loesch

FL Bar No: 0884251

Roger Futerman & Associates

13620 49th Street North

Clearwater, FL 33762

Telephone: (727) 344-5511

futermanlaw@yahoo.com