# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,

v.

\*\* CRIMINAL NO. S-02-0220

WARREN GRACE,

Defendants.

\*\* CRIMINAL NO. S-02-0220

\*\* ENTERED

RECENED

(SEALED)

Defendants.

### MOTION FOR MODIFICATION OF CONDITIONS OF RELEASE

COMES NOW the United States of America, by and through the undersigned attorneys, and very respectfully prays and alleges as follows:

- 1. Defendant pled guilty to Counts One and Three of the pending indictment on Friday, May 31, 2002.
- 2. Following defendant's rearraignment hearing, and in light of the fact that the defendant is cooperating with the government, the Court permitted defendant's release to the custody of Hope Village, a work release program located in Washington D.C. Defendant was to remain in the custody of Hope Village except when released to the custody of the FBI or permitted to visit his attorney.
- 3. The Director of Hope Village was made aware of the fact that the defendant was cooperating with the FBI but was told to maintain this information confidential. However, on Tuesday, June 4, 2002, defendant was confronted by one of the counselors of Hope Village, Mr. Davis, and asked directly about his cooperation with the FBI. Defendant denied the

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allegations. Yesterday, Thursday, June 6, 2002, defendant was informed by Mr. Davis, within

hearing distance of other inmates, that the FBI would be pikcing him up the next day.

4. Both the United States and defense counsel agree that defendant's security at Hope

Village has been compromised by the actions of Counselor Davis. Therefore, both parties agree

that defendant should be moved out of Hope Village.

5. Hence, the United States respectfully recommends that defendant's conditions of

release be modified; and (1) that defendant be placed under 24 hour house; (2) that defendant be

placed under electronic monitoring; and (3) that defendant be allow to leave his house only to

meet with FBI agents or his attorney. Both the government and defense counsel understand that

the above conditions of release would ensure both the safety of the community and his presence

at trial, as well as, safeguard the safety of the defendant.

6. The United States has informed Pre-Trial Services Officers Randy Cannal of this

motion. Mr. Cannal stated that the position of the Pre-Trial Services Office remains that

defendant should be detained pending trial. However, Mr. Cannal did advise that if the Court

were to modify defendant's conditions of release as recommended above, Pre-Trial Services

would be able to place defendant under electronic monitoring immediately.

7. This motion was read to Assistant Federal Public Defender Joseph Balter, counsel for

the defendant, and he had not objections to the same.

WHEREFORE the United States respectfully requests that the Honorable Court take

notice of the foregoing, modify defendant's conditions of release as requested herein, and take

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whatever other action it deems appropriate

RESPECTFULLY SUBMITTED in Baltimore, Maryland this 7th day of June, 2002.

THOMAS M. DIBIAGIO United States Attorney

Jacabed Rodriguez-Coss

Assistant United States Attorney

U.S. Courthouse, Suite 400

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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

UNITED STATES OF	AMERICA.	*		
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v.	FILED —	RECEIVED	CRIMINAL NO.	S-02-0220
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Defendants.	THE LINE	MORE*	_	
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#### **ORDER**

Upon motion by the government and there being no objection on the part of defendant,

IT IS HEREBY ORDERED that defendant's conditions of release be modified as follows:

- 1. Defendant is to be placed under 24 hour house arrest at 2506 Edgecombe Circle North, Baltimore, Maryland 21215;
- 2. Defendant is to be placed under electronic monitoring by the Pre-Trial Services Office;
- 3. Defendant shall be allowed to leave his residence to meet with agents from the FBI and/ or his attorney.

SO ORDERED.

United States District Judge