

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **Case No. 21-CR-46-RDM**  
 :  
 **PATRICK MONTGOMERY,** :  
 :  
 **Defendant.** :

**GOVERNMENT’S UNOPPOSED MOTION TO MODIFY  
PRETRIAL RELEASE CONDITIONS**

The government files this motion in response to the Court’s encouragement to the parties to discuss alternative conditions for pretrial release before the defendant is required to self-surrender on Monday, May 17, 2021 at 2:00 p.m. E.S.T. The government represents that it has reached an agreement with defendant Patrick Montgomery regarding pretrial release conditions in lieu of detention, as detailed below.<sup>1</sup>

**BACKGROUND**

On May 12, 2021, the government filed a motion seeking to revoke defendant Patrick Montgomery’s pretrial conditions of release because Montgomery used a handgun to shoot a mountain lion at a Colorado Parks and Wildlife (“CPW”) park located in Denver, Colorado, despite having previously been convicted of a felony offense.<sup>2</sup> After a hearing on the government’s motion on May 14, 2021, the Court granted the government’s motion and ordered

---

<sup>1</sup> The government is no longer seeking to revoke defendant’s pretrial release, but instead is requesting that the Court impose the conditions detailed herein.

<sup>2</sup> The details of that offense are stated in the Government’s Motion to Revoke Defendant’s PreTrial Release (ECF Doc. 31). The government also received the CPW Report of Investigation related to the shooting incident after the hearing on May 14, 2021, and has attached it as Exhibit 1 to this Motion.

that Montgomery's pretrial release is revoked and that he shall be detained pending trial. The Court, however, encouraged the parties to discuss a potential alternative to incarceration and set another hearing for Monday, May 17, 2021 at 9:00 a.m.

The government and defense were able to reach agreement on pretrial conditions of release—short of detention—that the government believes will ensure the safety of the community.

**PROPOSED PRE-TRIAL CONDITIONS OF RELEASE**

The government and defense agree to the following pre-trial conditions of release and request that the Court impose these conditions in lieu of detention:

- **Home Incarceration.** The defendant shall be restricted to 24-hour-a-day lock-down at his residence except for medical necessities and court appearances or other activities specifically approved by the court;
- **GPS monitoring.** The defendant shall submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided;
- **Firearms Prohibition.** The defendant shall not have access to or possess any firearms, destructive device, or other weapon;
- **Hunting Prohibition.** The defendant shall not participate in any hunting-related activities, either personally or professionally;
- The defendant shall not commit any Federal or State crimes;
- The defendant shall comply with all previously ordered conditions of release in the Order Setting Conditions of Release as to Patrick Montgomery, signed by Magistrate Judge Robin M. Meriweather on 2/10/2021 (ECF Doc. 8)

For the reasons stated above, the government respectfully requests that the Court impose the proposed pre-trial conditions of release in lieu of detention.

Respectfully submitted,

CHANNING PHILLIPS  
Acting United States Attorney  
D.C. Bar No. 415793

By: /s/ Elizabeth C. Kelley  
Elizabeth C. Kelley  
Assistant United States Attorney  
D.C. Bar No. 1005031  
United States Attorney's Office  
555 4th Street, N.W.  
Washington, DC 20350  
(202) 252-7238  
Elizabeth.Kelley@usdoj.gov