

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL NO. 21-CR-177 (CRC)
 :
 DANIEL D. EGTVEDT :

DEFENDANT’S MOTION TO MODIFY BOND CONDITIONS

The Defendant, Mr. Daniel D. Egtvedt, by and through his attorney Kira Anne West, files this motion to modify his bond conditions pursuant to 18 U.S.C. § 3142 (c)(3). In support of this motion, the Defendant submits the following:

Mr. Egtvedt asks this Court to remove the condition of electronic location monitoring.

Procedural History

Mr. Egtvedt was charged with both felonies and misdemeanors by criminal complaint on 2/9/21. *See* ECF #1. He was arrested on 2/16/21, without incident. *See* ECF #8. A nine count indictment was returned against him on 3/3/21. *See* ECF #9. On April 14, 2021, after lengthy argument, this Court released the defendant with very strict conditions of release, to include wearing an electronic monitoring devise. Notably, after many attempts, a monitoring devise was finally located that would monitor Mr. Egtvedt at his remote location in far Western Maryland. Before that was accomplished, Mr. Egtvedt was without location monitoring for

two weeks. See ECF 27, p. 3, Gov't motion to revoke defendant's pretrial release. On 5/28/21, Mr. Egtvedt requested modification of his release conditions so that he could get an MRI. See ECF #30. On the same day, this Court granted by minute order a two day modification and Mr. Egtvedt got his MRI. Pretrial filed a pretrial services report on 6/3/21 which indicated Mr. Egtvedt's total compliance with his conditions. See ECF #32.

Argument

This Court may recall that in the pleadings filed by Mr. Egtvedt many months ago for his release of detention, undersigned counsel argued that Mr. Egtvedt would be able to comply with the Court's orders. Mr. Egtvedt has done exactly that for four months. He has a perfect record of compliance with Pretrial. See, Dkt. #32, Pretrial report from June 03, 2021. Undersigned counsel spoke with his Maryland pretrial officer, Ms. Leigh Messett on August 2nd, 2021, who indicated that Mr. Egtvedt in in compliance with all of his conditions. Each week, Mr. Egtvedt sends her an email with his schedule. For example, he is still being treated for his concussion by doctors in Morgantown, West Virginia and he sends an email noting the date, time and the name of the doctors. He continues his mental health treatment which has been extremely successful. Just as Mr. Egtvedt previously cooperated with the FBI when they arrested him at his home, since his release he has been completely compliant with his Probation Officer and his

brother who as promised, keeps track of him. Mr. Egtvedt would simply like the opportunity to walk his dog, take a greater role in the care for his mother, work at the farm, and volunteer with his church.

Mr. Egtvedt can be effectively supervised and monitored just as effectively without the electronic location monitoring. This can be done by telephone contacts, email, text and continued home visits. Judge Hogan of this Court released a January 6 defendant from his electronic monitoring even though he is charged with carrying a deadly weapon into the Capitol and suffers from PTSD as a result of his service to our nation. *See United States v. Harkrider*, 21 CR 117.

Conclusion

There is no threat to the community posed by Mr. Egtvedt which is evidenced by his perfect record of compliance since his release. The combination of conditions that were ordered when Mr. Egtvedt was initially released, without the electronic monitoring, would assure this Court of the safety of the community and his presence at trial.

Respectfully submitted,

KIRA ANNE WEST

By: _____ /s/

Kira Anne West
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