

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

UNITED STATES OF AMERICA	:	
	:	CASE NO. 1:22-CR-183-2
	:	(FYP)
v.	:	
	:	
LYNWOOD NESTER,	:	(JUDGE PAN)
Defendant	:	

MOTION TO AMEND CONDITIONS OF PRETRIAL RELEASE

AND NOW, comes the Defendant, Lynwood Nester, by and through his attorney, Jonathan W. Crisp, Esquire, and respectfully requests that this Honorable Court grant his unopposed motion to amend the conditions of pretrial release, and in support thereof, respectfully represents as follows:

1. The Defendant was indicted on 20 May 2022, and charged with the following:

- a) Count 1: Disorderly Conduct in a Capitol Building;¹
- b) Count 1: Parading, Demonstrating, or Picketing in a Capitol Building;²

2. On or about 20 May 2022, the Defendant was initially before the Middle District of Pennsylvania before Magistrate Judge Carlson and conditions of pre-trial release were set and a carve out for conditions of release were granted based on the Defendant’s place of employment regarding the handling of firearms during the course of his employment and at his place of employment.

3. On 9 June 2022 the Defendant appeared before Magistrate Judge Faruqi and was granted a personal recognizance bond but said bond did

¹ 40 USC § 5104(e)(2)(D)

² 40 USC § 5104(e)(2)(G)

not also include the same carve out exceptions regarding the Defendant's ability to possess firearms during the course of his employment and at the place of his employment.

4. Consequently, the Defendant is currently restricted from possessing firearms as directed by the pretrial services or the supervising probation officer based on the restrictions imposed on 9 June 2022.

5. Accordingly, the Defendant respectfully requests he be granted the ability to possess firearms during the course of his employment and while at the place of his employment. The Defendant has been in compliance with his pretrial supervision requirements to the present date.

6. The Assistant United States Attorney Benjamin Kringer has been contacted and also concurs in the motion with the caveat, consistent with the above requested carve-out, that the work-related firearms are not taken from the employer's premises.

7. The Defendant's initial appearance is currently scheduled for 22 July 2022 at 2:00PM with Judge Pan.

WHEREFORE, it is respectfully requested that this Honorable Court grant the Defendant's Motion to Amend Conditions of Pretrial Release.

Date: 24 June 2022

Respectfully submitted,

/s/ Jonathan W. Crisp

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CERTIFICATE OF CONCURRENCE

I, Jonathan W. Crisp, Counsel for Defendant, Lynwood Nester, hereby certify that Assistant United States Attorney, Benjamin Kringer, Esquire, concurs to the foregoing Motion.

Date: 22 June 2022

/s/ Jonathan W. Crisp
Jonathan W. Crisp, Esquire

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served on the individual listed below:

ELECTRONIC SERVICE

Benjamin Kringer, Esquire
Assistant United States Attorney
US Attorney's Office for the District of Columbia
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Date: 24 June 2022

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