

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal Case No. 26-cr-25 (LMP/DLM)

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 NEKIMA LEVY-ARMSTRONG,)
)
 Defendant.)

**DEFENDANT'S MOTION TO
MODIFY CONDITIONS OF
RELEASE**

PLEASE TAKE NOTICE that Defendant Nekima Levy-Armstrong, through undersigned counsel, hereby moves the Court to modify her conditions of release by eliminating all "Additional Conditions of Release" set forth in the Order Setting Conditions of Release (Doc. 12 at 2-4), except that she is willing to stay away from the church location identified in the Complaint Affidavit and Indictment (Doc. 12 at 4), and further eliminating the additional conditions of release specified in the Judge's Order denying the government's challenge to release but adding further conditions. (Doc. 22 at 9). The grounds for this Motion are three co-defendants in this case were more recently released on their own recognizance without any Additional Conditions of Release. (Docs. 52, 58, and 61). There is no rational basis for treating Ms. Levy-Armstrong differently from her co-defendants. She has no prior substantive criminal record, she has lived in Minnesota for 23 years, she has a husband and children in Minnesota, and operates two businesses. (Pretrial Service Report, Doc. 29). Ms. Levy-Armstrong is a licensed attorney, former law professor at the University of St. Thomas for fourteen years, and a prominent

community leader. She presents no danger of any sort to the community or risk of nonappearance.

The numerous restrictions imposed on her are unnecessary. Further, they are unnecessarily onerous. Ms. Levy-Armstrong regularly travels in connection with her business and community activism, and should not be required to seek permission from probation or the Court for trips to other states or other countries. There is no basis for concern that she will not return to Minnesota as required. Ms. Levy-Armstrong has demonstrated by her life's work that she is a responsible and reliable member of the community, and therefore need not be subject to the supervision of a probation officer. While Ms. Levy Armstrong has no intention of possessing a firearm, her husband owns firearms for the purpose of protecting himself and his family. Ms. Levy-Armstrong has and continues to receive countless death threats. Probation has informed her husband that he cannot have guns in his home in order for Ms. Levy-Armstrong to comply with the current conditions of release. Her husband should not be denied his Second Amendment Rights as a result of this political persecution by the government.

It is possible that events occurring during the week after Ms. Levy-Armstrong's release informed the Court of the government's bad faith, and thereby influenced the Court declining to impose restriction on the co-defendants released on January 30. On the day after Ms. Levy-Armstrong's release, January 24, 2026, Custom and Border Patrol agents murdered Alex Pretti on the streets in Minneapolis, which was documented on

multiple videos available on the internet. On January 28, 2026, the government took advantage of sixteen persons previously arrested by ICE voluntarily turning themselves in at the direction of the government by posting their mugshots in Twitter so that they could serve as trophies in conjunction with a press conference by Attorney General Pam Bondi in Minneapolis. The Secretary of Homeland Security previously posted on Twitter a photo of Ms. Levy-Armstrong being arrested and escorted in handcuffs.

https://x.com/Sec_Noem/status/2014357826081071513 The Whitehouse subsequently posted on Twitter an altered photo of Ms. Levy-Armstrong being arrested to make it falsely appear that she was crying and making her face darker.

<https://x.com/WhiteHouse/status/2014365986388951194/photo/1> (See also attachments to Doc. 21). The government's fourteen page Indictment makes clear that the government is persecuting Ms. Levy-Armstrong and her co-defendants by attempting to turn a non-violent political protest directed at a federal government official into a federal felony case.

Ms. Levy-Armstrong respectfully requests that the Court fully consider the release conditions of her co-defendants, her own irreproachable background and status in the community, the lack of any violence associated with the incident underlying the Indictment, and the government's nakedly obvious bad faith. Based on all of these factors, it is only fair and appropriate to remove the restrictive conditions of Ms. Levy-

Armstrong's release.

Dated: February 1, 2026

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