



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

October 6, 2023

BY ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Adedayo Ilori*, 20 Cr. 378 (LJL)

Dear Judge Liman:

The Government writes in connection with the Court's order dated August 11, 2023, in which the Court ordered the parties to address whether the parties believed the Court should by written order or in open court suspend the drug-testing condition that the Court had accidentally imposed orally at sentencing and intentionally excluded from the written judgment. (ECF No. 134). The Government believes that the Court can suspend the drug-testing condition imposed orally at sentencing by written order. Pursuant to Federal Rule of Criminal Procedure 32.1, the Court can modify the conditions of supervised release without a hearing if "the relief sought is favorable to the person and does not extend the term of probation or of supervised release" and "an attorney for the government has received notice of the relief sought, has had a reasonable opportunity to object, and has not done so." Fed. R. Crim. P. 32.1(b). Because these conditions are satisfied, the Court can amend the supervised release conditions to exclude drug-testing without a hearing and by written order.

Respectfully submitted,

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