

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

AUG 06 2020

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

UNITED STATES OF AMERICA
Plaintiff,

CRIMINAL ACTION

v.

CASE NO. 1:20-CR-228 *UHC*

MAURICE FAYNE,
FICTITIOUS DEFENDANT
Defendant,

CASE NOS. 1:20-MJ-370, 364,
361, 360, 355 and 1:20-MC-833,
1:20-CR-228-MHC-JKL,
1:20-CR-228-MHC-JKL

MOTION TO MODIFY CONDITIONS OF RELEASE AND TO BE HEARD

COMES NOW, maurice johnson fayne el (alleged defendant), a aniyunwan Moor American National, but not Citizen of the United States, hereby move this Court to enter an order modifying the conditions of release, to allow maurice johnson fayne el to travel for work and to confront the witness against him . In support thereof, maurice johnson fayne el states as follows:

1. The Order Setting Conditions of Release [Doc. 9] was entered on May 13, 2020.
2. Alleged Defendant secured bail and is currently being supervised by the U.S. Pretrial Services Office.

3. maurice johnson fayne el has been fully compliant with the conditions of release to date.

4. maurice johnson fayne el is not a flight risk. Upon notification of a warrant for his arrest, he turned himself in to authorities the same day.

5. maurice johnson fayne el now seeks a modification of this Court's order, specifically Condition Numbers 8 s(i) modify curfew to remove curfew to allow alleged defendant to consistently cross state lines for work purposes and (8)(j) to allow alleged defendant to cross examine, depose and interview potential witnesses, as well obtain pertinent documentation regarding this case to properly defend himself against all allegations in this case. If alleged defendant is not allowed to cross examine potential witnesses, he will be severely prejudice regarding this matter and his constitutionally protected 6th amendment right would be violated. (8)(v) to allow maurice johnson fayne el to travel outside of the Northern District of Georgia and travel across state lines consistently for work. maurice johnson fayne el job will require traveling cross state lines. BI SmartLink still will have his tracking location. Trucks are also equipped with elog (electronic logging devices) that tracks location with times 24 hours a day. maurice johnson fayne el will still be able to check in and perform face to face meetings with the Pretrial officer, as well as send the pretrial officer work log documentation. maurice johnson

fayne el has spoken to the supervising Pretrial/Probation officer and the officer stated that the order would have to come from the court.

6. Alleged defendant maurice johnson fayne el is the primary provider for his family. Alleged Defendant is confined to his home and monitored by BI SmartLink which tracks and takes photos of alleged defendant. A phone check in is done by maurice johnson fayne el every Thursday with the probation officer along with a one face to face meeting and a drug test once a month; however, he is allowed out of his home for certain limited purposes and other activities approved by Pretrial Services.

7. Being able to cross state lines will allow him to earn additional wages. Without the opportunity to earn wages, the alleged defendant will be prejudiced and not be able to prepare a proper defense against all allegations and provide for his family. Prior to the indictment, alleged defendant had been working.

WHEREFORE, for the foregoing reasons maurice johnson fayne el requests this Court enter an order modifying his conditions of release to allow him to travel consistently for work and be allowed to cross examine potential witnesses to prepare a proper defense against all allegations.

Dated this 6th day of August, 2020

Maurice Johnson Fayne-el all rights reserved
maurice johnson fayne-el

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Modify Conditions of release has been formatted in Times New Roman 14 pt. in accordance with Local Rule 5.1 B and was electronically filed this day with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following counsel of record:

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