PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 7894871

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 113C 9:24-80012T

Request for Modifying the Conditions or Term of Supervision
With Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Naeem H. Joseph

Name of Sentencing Judicial Officer: The Honorable Charlene Edwards Honeywell, United States District Judge, Middle District of Florida

Name of Re-assigned Judicial Officer: The Honorable Aileen M. Cannon, United States District Judge, Fort Pierce, Florida on June 4, 2024

Date of Original Sentence: July 8, 2022

Original Offense: Counts One: Conspiracy to Defraud the United States, in violation of 18 U.S.C. § 371, a Class D felony.

Original Sentence: Twenty-one (21) months imprisonment followed by three (3) years supervised release, a $100.00 special assessment, and restitution in the amount of $236,634.51. In addition to the standard conditions, the following special conditions were ordered: The defendant shall: 1) participate in a substance abuse program and follow the probation officer's instructions regarding implementation of this court directive; 2) submit to a search of his person, residence, place of business, any storage unites under his control, computer, or vehicle, conducted by the United States Probation Officer; 3) be prohibited from incurring new credit charges, opening lines of credit, or obligating himself for any major purchases without approval of the probation officer; and 4) provide the probation officer access to any requested financial information.

On May 10, 2024 a *Report on Offender Under Supervision* was submitted to the Middle District of Florida regarding positive drug tests for marijuana. As this was the defendant's first violation, no action was recommended, and a Transfer of Jurisdiction was initiated.

Type of Supervision: Supervised Release Date Supervision Commenced: September 5, 2023

PETITIONING THE COURT

☐ To extend the term of supervision for _____ years, for a total term of _____ years.
☒ To modify the conditions of supervision as follows:

The defendant shall perform 25 hours of community service as monitored by the U.S. Probation Officer.

CAUSE

1. **Violation of Mandatory Condition,** by unlawfully possessing or using a controlled substance. On or about October 4, 2024, October 25, 2024, and November 1, 2024, the defendant submitted urine samples which tested positive for the presence of marijuana in our local laboratory and subsequently confirmed positive by Alere Toxicology Services, Inc.

On October 4, 2024, the defendant submitted a urine sample that tested positive for the presence of marijuana in our local laboratory and subsequently was confirmed positive by Alere Toxicology Services, Inc. on October 12, 2024. The defendant was confronted about this positive test, and he admitted to smoking marijuana while hanging out with some friends. The defendant advised he lives alone and works most nights, so occasionally he likes to meet up with friends to have a few drinks and socialize. He stated that on a few occasions, some of his friends would smoke marijuana and he made a poor decision to join them.

This officer spoke with the defendant about treatment as an option if he feels like he is addicted or dependent on using THC, to which the defendant advised he was not. The defendant denied having a substance abuse problem and reported he has the will power to refuse it going forward.

The defendant was instructed to continue with weekly drug testing to monitor for any ongoing use. He has since reported for drug testing on October 25, 2024 and November 1, 2024, both of which have been confirmed positive. Once the defendant submits a negative urinalysis he will be placed on Code-A-Phone, a random drug testing system.

The defendant has agreed to complete 25 hours of community service as a sanction for his recent noncompliance, and was advised that any further positives will result in graduated sanctions and possible Court intervention. The defendant has voluntarily signed the enclosed, *Waiver of Hearing to Modify Conditions of Supervised Release*, to include the completion of 25 hours of community service.

PROB 12B
(SD/FL 9/96)

SD/FL PACTS No. 7894871

RECOMMENDATION:

The defendant will continue with increased drug testing to monitor for any ongoing use, and as such, it is possible future tests will be returned positive for residual elimination. However, if any test results are confirmed positive for new use, the court will be notified promptly. To address the defendant's noncompliant behavior, we are respectfully requesting the Court modify the conditions of supervised release to include 25 hours of community service.

Respectfully submitted,

by: Adrian Lieber

Adrian Lieber
United States Probation Officer
Office: 561-804-4204
Cellular: 786-501-3596
Date: November 18, 2024

THE COURT ORDERS:

☐ No Action
☑ The Modification of Conditions as Noted Above
☐ Submit a Request for ☐ Warrant or ☐ Summons

Signature of Judicial Officer

11/21/24
Date