



3. Due to the complexity of this case and the time necessary to litigate pre-trial motions and prepare for trial, Mr. Hitselberger has now been living with his aunt for seven months. However, he owns a home in Ontonagon, Michigan, where he could live without inconveniencing his aunt, and he could be productive renovating two other properties that he owns in Ontonagon County.

4. Undersigned counsel has contacted Pretrial Services in Michigan, and Mr. Hitselberger's current Pretrial Services officer. They confirm that Pretrial Services in Michigan has a GPS monitoring system and could monitor Mr. Hitselberger at his home in Ontonagon County.

5. Because Mr. Hitselberger has demonstrated his ability and willingness to comply with the Court's orders, he respectfully requests that the Court permit him to move back to his home in Ontonagon. Because, if permitted to move to his home, he will be living there by himself and can be productive renovating his other properties, Mr. Hitselberger requests that the Court restrict his movements to Ontonagon County, except for pre-approved travel outside of the county for medical appointments or reporting to the Pretrial Services officer in Michigan.

6. While on pretrial release, Mr. Hitselberger has consistently tested negative for illegal substances. Because he has no history of using illegal substances, Mr. Hitselberger respectfully requests that the Court eliminate drug testing as a condition of release.

7. Undersigned counsel has contacted government counsel, Assistant United States Attorney Mona Sahaf, who indicated that the government has no objection to this motion. The government does not object to the elimination of the drug testing condition, and provided that

Mr. Hitselberger remains on GPS monitoring, the government does not object to limiting his unrestricted movement to within Ontonagon County, Michigan.

WHEREFORE, for the foregoing reasons, Mr. Hitselberger respectfully moves this Honorable Court to modify the conditions of his release to permit him to move back to his home in Ontonagon, Michigan, and eliminate drug testing as a condition of release.

Respectfully submitted,

A. J. KRAMER  
FEDERAL PUBLIC DEFENDER

/s/

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

**UNITED STATES OF AMERICA** :  
 :  
 v. : **12-CR-231 (RC)**  
 :  
**JAMES HITSELBERGER** :

**ORDER**

Upon consideration of James Hitselberger's Unopposed Motion to Modify Conditions of Release and finding good cause shown, it is this \_\_\_ day of \_\_\_\_\_, 2013, hereby

ORDERED that the motion is GRANTED; and it is further

ORDERED that the conditions of Mr. Hitselberger's release are MODIFIED to permit him to live at his home in Ontonagon, Michigan, with global positioning system ("GPS") monitoring under the supervision of the pretrial services in Michigan, limiting his movement to the County of Ontanagon; and it is further

ORDERED that Mr. Hitselberger shall no longer be required to submit to drug testing as a condition of release.

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THE HONORABLE RUDOLPH CONTRERAS