

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

UNITED STATES OF AMERICA,)
)
 v.) **No. 13-CR-293 (BAH)**
)
 THOMAS NASH)
)
 Defendant)
 _____)

**MOTION TO TERMINATE SUPERVISED RELEASE
AND ORDER IMMEDIATE RELEASE**

Mr. Thomas Nash respectfully moves this Court to terminate his supervision in Federal Court because he is currently being supervised in Superior Court and the duplication of supervision is unnecessary. Mr. Nash also moves for his immediate release because he was in compliance with his Superior Court supervision and was arrested for not reporting for Federal supervision. He is currently being held at the D.C. Jail and, as a 64 year old man with asthma and diabetes, among other ailments, (See PSR ¶ 61-64) is at high risk for medical complications should he be exposed to the coronavirus.

Mr. Nash was sentenced by this Court to a term of 60 months imprisonment with three years of supervised release to follow after having been convicted of unlawful possession of a firearm. Mr. Nash was completing his federal sentence at the halfway house when he got involved in an altercation which led to charges being brought in Superior Court. He was sentenced in the Superior Court to a term of 24 months with 36 months of supervised release to follow. He was initially placed at the Re-Entry and Sanctions Center by CSOSA on December 16, 2019. He is being supervised by CSOSA and is currently homeless. The Court may recall from the sentencing hearing that Mr. Nash suffers from mental illness.

On March 1, 2020, this Court issued a warrant for Mr. Nash's arrest for not reporting for federal supervision. It is Counsel's understanding that he was at the time in contact with his Superior Court probation officer. He was arrested and appeared in Magistrate Court on March 13 where he was held without bond pending a hearing scheduled for Friday, March 20. Because Mr. Nash is currently under supervision with CSOSA for the same period of time, it is duplicative to have him on supervision in federal court. For someone with his limited resources, dual supervision is particularly difficult and sets him up for failure. Moreover, to continue to incarcerate him exposes him to greater risk of contracting and spreading coronavirus. And, at his age, makes it particularly dangerous for him. Undersigned counsel intended to make these arguments at the hearing on Friday, but in light of the current state of emergency, is making them in writing in hopes of avoiding a hearing.

Respectfully submitted,

A.J. KRAMER
FEDERAL PUBLIC DEFENDER

/s/

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PROPOSED ORDER

Upon consideration of the defendant’s motion, and in light of the fact that the defendant is on supervised release in D.C. Superior Court for the same length of time he is on supervision in this Court, the Court finds that it is in the interest of justice to terminate his federal supervision.

It is therefore ORDERED that the Defendant’s supervision in this case only is TERMINATED.

It is further ORDERED that the Defendant shall be released immediately in this case only.

SO ORDERED.

DATE

HONORABLE CHIEF JUDGE HOWELL

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA