

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA

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v.

NO. 1:17-CR-00034

REALITY LEIGH WINNER

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**MOTION TO REOPEN DETENTION HEARING PURSUANT TO 18 U.S.C. § 3142(f)
AND IMPOSE CONDITIONS OF RELEASE AND REQUEST FOR A HEARING**

NOW INTO COURT, through undersigned counsel, comes Defendant Reality Leigh Winner (“Ms. Winner” or the “Defendant”) who respectfully moves, pursuant to 18 U.S.C. § 3142(f), for the Court to (1) reopen the detention hearing; (2) find there is a combination of conditions that will reasonably assure Ms. Winner’s appearance as required and the safety of any other person and the community; and (3) release Ms. Winner pending trial with conditions. In addition, the Defendant requests a hearing at the earliest practicable time to address this Motion.

As set forth in the accompanying Memorandum in Support of this Motion to Reopen Detention Hearing Pursuant to 18 U.S.C. § 3142(f) and Impose Conditions of Release and Request for a Hearing, the detention hearing should be reopened because there is new information material to the issue of pre-trial detention that supports Ms. Winner’s release, consistent with applicable case law, including, among other new information, information that contradicts or weakens the Government’s proffer, the availability of a third-party custodian, and plans for Ms. Winner to obtain employment and stay occupied during the pendency of this matter.

In addition, there are conditions that will reasonably assure Ms. Winner’s appearance as required and the safety of any other person or the community. For example, the Court could require that Ms. Winner (1) reside in her home in Augusta under the custody of a third-party

custodian; (2) not travel beyond Richmond County, Georgia without the permission of her Pretrial Services Officer; (3) have regular contact with her Pretrial Services Officer; and/or (4) have her parents post their property as a bond. The Defendant submits, respectfully, that the availability of these conditions (or some combination thereof) and applicable precedent—which demonstrates that courts have released nearly every other defendant charged with disclosing or retaining national defense information—makes Ms. Winner’s continued detention manifestly unjust, and further supports reopening of the detention hearing.

WHEREFORE, pursuant to 18 U.S.C. § 3142(f), and for the reasons set forth above as well as in the accompanying Memorandum in Support of this Motion to Reopen Detention Hearing Pursuant to 18 U.S.C. § 3142(f) and Impose Conditions of Release and Request for a Hearing, defendant Reality Leigh Winner respectfully requests that the Court (1) reopen the detention hearing, (2) find there is a combination of conditions that will reasonably assure Ms. Winner’s appearance as required and the safety of any other person and the community, and (3) release Ms. Winner pending trial with conditions, and that the Court grant such additional relief as may be warranted. In addition, the Defendant requests a hearing at the earliest practicable time to address this Motion.

Respectfully submitted,

s/ John C. Bell, Jr.

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**ATTORNEYS FOR
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CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2017, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to counsel of record for all parties.

/s/ John C. Bell, Jr. _____
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