

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

v.

\* **Criminal No: L-99-xxxx**

**JOSEPH PATRICK XYZ, III,**

\*

\* \* \* \* \* \*\*\* \* \* \* \*

**MOTION TO RELEASE BAIL**

Joseph Patrick XYZ, III, through counsel, James Wyda, Federal Public Defender for the District of Maryland and Paul D. Hazlehurst, Assistant Federal Public Defender, hereby moves this Honorable Court, pursuant to Rule 46(f) of the Federal Rules of Criminal Procedure to release the property posted as bail to secure the release of the defendant and for reasons states:

1. On March 22, 1999, the Court ordered the defendant, Joseph XYZ, III, released pursuant to conditions including that he be placed in the custody of his parents, Joseph XYZ, II, and Margaret XYZ and that the family home, known as RR 2, Box 127, Cresco, Pennsylvania, 18326 and also known as 127 Whiteoak Road, Cresco, Pennsylvania, 18326 be posted as bail.

2. On November 22, 1999, pursuant to the government's motion to revoke the defendant's release a hearing was held before the Court.

3. The defendant's father, Mr. XYZ, II, produced the defendant for the November 22, 1999 hearing.

4. At the November 22, 1999 hearing, the Court revoked the defendant's release.

5. Mr. and Mrs. XYZ, II, are now seeking exoneration of their duties as obligors and

release of the family's home as bail.

WHEREFORE the defendant, through undersigned counsel, prays this Court, pursuant to Rule 46(f) of the Federal Rules of Criminal Procedure, exonerate Joseph XYZ, II, and Margaret XYZ as obligors and release the property known as RR 2, Box 127, Cresco, Pennsylvania and also known as 127 Whiteoak Road, Cresco, Pennsylvania as bail.

Respectfully submitted,

**JAMES WYDA**  
Federal Public Defender  
for the District of Maryland

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**PAUL D. HAZLEHURST**  
Assistant Federal Public Defender  
Office of the Federal Public Defender  
Suite 1100, Bank of America Tower II  
100 S. Charles Street  
Baltimore, Maryland 21201  
(410) 962-3962

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 14th day of December, 1999, that a copy of the foregoing Motion was delivered to Bonnie S. Greenberg, Assistant United States Attorney, 604 United States Courthouse, 101 W. Lombard Street, Baltimore, MD 21201.

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**PAUL D. HAZLEHURST**  
Assistant Federal Public Defender

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

\*

v.

\*

**Criminal No: L-99-XXXX**

**JOSEPH PATRICK XYZ, III**

\*

\* \* \* \* \*

**ORDER**

Upon consideration of the Defendant's request for Release of Bail and pursuant to Federal Rule of Criminal Procedure 46(f) it is this \_\_\_\_\_ day of December, 1999,

**ORDERED** that Joseph and Margaret XYZ are released from any obligation imposed upon them by this Court's order setting conditions of release passed March 22, 1999, and,

**IT IS FURTHER ORDERED** that the property known as RR 2, Box 127, Cresco, Pennsylvania, 18326 and also known as 127 Whiteoak Road, Cresco, Pennsylvania, 18326 be released as bail.

\_\_\_\_\_  
Honorable James K. Bredar  
United States Magistrate Judge