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Attorney for BRANDON FRERE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRANDON FRERE

Defendant.

CASE NO. 3:18-mj-71724 (SK)

**STIPULATION AND [PROPOSED]
ORDER TO MODIFY CONDITIONS OF
PRETRIAL RELEASE**

STIPULATION

Defendant Brandon Frere, by and through his counsel, Edward W. Swanson, and the United States, by and through Assistant United States Attorney Scott D. Joiner, hereby stipulate and agree as follows:

- 1) On December 10, 2018 Magistrate Judge Sallie Kim granted Mr. Frere pretrial release on a \$3,000,000 secured bond. Mr. Frere's conditions of release include electronic (LMON) monitoring and the condition that Mr. Frere not leave his parents' home, except with the advanced permission of his Pretrial Services Officer for medical appointments, legal appointments, court appearances, and treatment appointments. Dkt. 7.

1 2) The parties have met and conferred regarding Mr. Frere's conditions of pretrial
2 release and have agreed and stipulated to the following modifications in order to allow Mr. Frere
3 to leave his home to attend to employment and other responsibilities, while still providing the
4 government with adequate security assurances:

5 a. Mr. Frere will reside in his home located at 14757 Morelli Lane, Sebastopol,
6 California, 95472.

7 b. Mr. Frere may leave his home to seek employment on a schedule pre-
8 approved by Pretrial Services between the hours of 7:00 a.m. and 4:00 p.m.,
9 provided that Mr. Frere provides Pretrial Services with the location(s) where
10 he will be traveling to seek employment and the times of any appointments
11 that he has secured during his search for employment. Once he secures
12 employment, Mr. Frere may also leave his home for employment purposes on
13 a schedule pre-approved by Pretrial Services. For other activities, including
14 medical and legal appointments, Mr. Frere may leave his home as pre-
15 approved by Pretrial Services. Unauthorized travel or deviations from the
16 preapproved schedule and/or locations may be grounds for revocation of
17 pretrial release.

18 c. Mr. Frere will have in-person contact with his custodian, Andre Frere, at least
19 once per day and will inform him of the schedule for the day that has been
20 approved by Pretrial Services. In the event Andre Frere is out of town or
21 otherwise going to be unavailable for in-person contact on a given day, Mr.
22 Frere will have telephone contact with Andre Frere that day and inform his
23 Pretrial Services Officer of his inability to have in-person contact with Andre
24 Frere and the reasons therefore.

25 d. Mr. Frere shall be subject to electronic monitoring with GPS, as opposed to
26 the radio frequency electronic monitoring special bond condition imposed on
27 December 10, 2018.
28

1 e. Mr. Frere's employment must be pre-approved by Pretrial Services and must
2 involve travel to and from a fixed location of work rather than a job that
3 involves extensive area travel.

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5 3) All other conditions of the bond and pretrial release which were imposed by the
6 Court on December 10, 2018, shall remain the same.

7 4) Pretrial Services Officer KJ Gibson has no objection to the proposed
8 modification.

9 **IT IS SO STIPULATED.**

10
11 DATED: January 30, 2019

/s/
SCOTT D. JOINER
Assistant United States Attorney

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14 _____
/s/
EDWARD W. SWANSON
Swanson & McNamara LLP
Attorneys for BRANDON FRERE

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ORDER

Pursuant to the stipulation of the parties, it is HEREBY ORDERED that Mr. Frere's conditions of Pretrial Release are modified in the following respects:

- 1) Mr. Frere will reside in his home located at 14757 Morelli Lane, Sebastopol, California, 95472.
- 2) Mr. Frere may leave his home to seek employment on a schedule pre-approved by Pretrial Services between the hours of 7:00 a.m. and 4:00 p.m., provided that Mr. Frere provides Pretrial Services with the location(s) where he will be traveling to seek employment and the times of any appointments that he has secured during his search for employment. Once he secures employment, Mr. Frere may also leave his home for employment purposes on a schedule pre-approved by Pretrial Services. For other activities, including medical and legal appointments, Mr. Frere may leave his home as pre-approved by Pretrial Services. Unauthorized travel or deviations from the preapproved schedule and/or locations may be grounds for revocation of pretrial release.
- 3) Mr. Frere will have in-person contact with his custodian, Andre Frere, at least once per day and will inform him of the schedule for the day that has been approved by Pretrial Services. In the event Andre Frere is out of town or otherwise going to be unavailable for in-person contact on a given day, Mr. Frere will have telephone contact with Andre Frere that day and inform his Pretrial Services Officer of his inability to have in-person contact with Andre Frere and the reasons therefore.
- 4) Mr. Frere shall be subject to electronic monitoring with GPS, as opposed to the radio frequency electronic monitoring special bond condition imposed on December 10, 2018.

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5) Mr. Frere's employment must be pre-approved by Pretrial Services and must involve travel to and from a fixed location of work rather than a job that involves extensive area travel.

DATED:

HON. SALLIE KIM
United States Magistrate Judge