

1 Kimberly A. Deater  
2 505 West Riverside Avenue, Suite 500  
3 Spokane, WA 99201  
4 (509) 995-4113  
5 Fax (509) 459-0396

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7 UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF WASHINGTON  
(MAGISTRATE CYNTHIA IMBROGNO)

9 UNITED STATES,

10 Plaintiff,

11 vs.

12 TERRENCE A. KINARD,

13 Defendant.

CR-08-184-WFN

DEFENDANT'S UNCONTESTED  
MOTION FOR TEMPORARY  
RELEASE

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16 Defendant, Terrence Kinard, through undersigned counsel, moves the Court for an  
17 order permitting Mr. Kinard to be released to his mother's home on the electronic  
18 monitor from Wednesday, November 25 through Tuesday, December 1, 2009. The  
19 Government does not object to this motion.

20 Mr. Kinard's mother lives in Spokane and all pertinent information will be  
21 provided to the United States Probation Office for verification. Mr. Kinard has pleaded  
22 guilty, pursuant to an 11(c)1(C) plea agreement to Possession of a Controlled Substance  
23 with the Intent to Distribute to wit; crack cocaine.

24 Mr. Kinard is a member of a tight-knit large family which includes his two  
25 daughters, their significant others, a new grandchild, two brother, two sisters and the

1 mother of his children. Of significant concern for Mr. Kinard and his siblings is the  
2 health of their 80-year old mother as well as the health of his brother Stephen.

3 Many family members are coming in from out of town in order to spend the  
4 Thanksgiving holiday together; Mr. Kinard would like to join them for a final family  
5 meal before he begins serving, what will most likely be a lengthy period of incarceration.

6 Mr. Kinard, as noted above has very significant ties to this community and has  
7 been a life long resident. His mother, Ms. Jimmie Kinard has offered her home to Mr.  
8 Kinard for this release. She also offers her service to act as a third-party guardian and  
9 will report any deviations from court ordered restrictions/conditions of release.

10 Ms. Kinard has a land-line in her home, therefore it should be a simple procedure  
11 to implement the EM.

12 AUSA Ahmed does not object to this request. Accordingly, Mr. Kinard requests  
13 an order permitting him a temporary release from custody beginning Wednesday,  
14 November 25, 2009 and ending Tuesday, December 1, 2009

15 Dated this 5th day of November, 2009

17 *s/ Kimberly A. Deater*  
18 Attorney for Kinard  
19 505 West Riverside Avenue, Suite 500  
20 Spokane, WA 99201

21 CERTIFICATE OF SERVICE

22 I hereby certify that on November 5, 2009, I electronically filed the  
23 foregoing with the Clerk of the Court using the CM/ECF System which will send  
24 notification of such filing to the following:

25 AUSA Ahmed  
Eastern District of Washington  
P.O. Box 1494  
Spokane, WA 99210

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*s/Kimberly Deater*  
Attorney for Kinard  
505 West Riverside Avenue, Suite 500  
Spokane, WA 99201  
(509) 995-4113  
Fax (509) 459-0396