

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. Coleman Boyd

Docket No. 0650 3:22CR00327 - 4

Petition for Action on Conditions of Pretrial Release

COMES NOW Douglas Murphy, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant Coleman Boyd
who was placed under pretrial release supervision by the Honorable Barbara D. Holmes, U.S. Magistrate Judge
sitting in the Court at Nashville, Tennessee, on October 12, 2022, under the following
conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference pages two through four of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Douglas Murphy *DM*
U.S. Pretrial Services Officer

Nashville, TN
Place:

December 8, 2022
Date:

Next Scheduled Court Event

Trial
Event

January 16, 2024
Date

PETITIONING THE COURT

- ☐ No Action
☐ To Issue a Warrant

- ☒ To issue an order setting a hearing on the petition
☐ Other

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant.
☐ Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only)
☐ Other

- ☒ A Hearing on the Petition is set for

Tuesday, December 20, 2022 2:00 p.m. Central
Date Time

Considered and ordered this 9th day
of December, 2022, and ordered filed
and made a part of the records in the above
case.

to be conducted in person in Courtroom No. 3D
Fred D. Thompson Federal Building
719 Church Street
Nashville, TN 37203



Honorable Barbara D. Holmes
U.S. Magistrate Judge

Honorable Barbara D. Holmes
U.S. Magistrate Judge
RE: Petition for Action on Coleman Boyd
3:22-CR-00327-4
December 8, 2022

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On October 5, 2022, the federal warrant for the defendant's arrest was executed in the Southern District of Mississippi pursuant to an Indictment filed in the Middle District of Tennessee on October 3, 2022.

The defendant appeared for an initial appearance in the Southern District of Mississippi on October 6, 2022, and the defendant was released to pretrial supervision.

On October 12, 2022, the defendant appeared for an initial appearance before Your Honor in the Middle District of Tennessee. The defendant was ordered to remain on the pretrial supervision to the previously imposed conditions of release.

The defendant resides in Mississippi and courtesy supervision is being provided by the United States Probation Office in the Southern District of Mississippi.

Special Conditions of Pretrial Release:

Please reference the attached Order Setting Conditions of Release.

ALLEGED VIOLATION(S):

Additional Condition 7(f): The defendant must remain in the State of Mississippi at all times during the pendency of these proceedings unless special permission is obtained from the Court and to travel to Nashville, TN to attend court proceedings.

On December 2, 2022, the defendant was in Bristol, Virginia, without preapproval. As detailed below, the defendant was observed by an agent of the Federal Bureau of Investigation (FBI) protesting at the Bristol Women's Health, located in Bristol, Virginia, on this date, and photographs of the defendant at the clinic were taken.

Additional Condition 7(g): The defendant is prohibited from entering any building that contains a facility that provides reproductive health services, the curtilage of such a building, or being within 20 feet of such a building, without prior approval of Pretrial Services/Probation.

On December 2, 2022, the undersigned officer received notification from the United States Probation Office in the Western District of Virginia that the defendant was protesting at the Bristol Women's Health, a clinic located in Bristol, Virginia, on this date.

The United States Probation Office in the Western District of Virginia received the aforementioned information through an email sent by the U.S. Marshals Service (USMS) in the Western District of Virginia. The email states that the clerk's office received a call from Bristol Women's Health

advising that a federal fugitive was currently outside their business. This information was then forwarded to the USMS and subsequently to the FBI.

On December 5, 2022, the undersigned officer spoke to FBI Special Agent (SA) Chad Potter who was present on the scene during the protest. SA Potter advised that he made contact with the women's clinic staff on December 2, 2022, and the staff stated Coleman Boyd, Calvin Zastrow, who is a codefendant in the instant federal offense, and other individuals were currently protesting outside their business. SA Potter advised that he observed the defendant, Coleman Boyd, protesting outside the women's clinic (on the curtilage of the building).

Additionally, the women's clinic was able to take photographs of said individuals during the protest, and those photographs were attached to the aforementioned email. The undersigned officer reviewed the photographs attached to the email and confirmed that an individual depicted in the two photographs titled "BOYD pic 1 and BOYD pic 2" is in fact the defendant, Coleman Boyd.

The undersigned officer confirmed with USPO Latoya Judson, the officer in the Southern District of Mississippi who is providing courtesy supervision, the defendant did not have prior approval to be on the curtilage of the building.

Probation Officer's Actions:

On December 2, 2022, after receiving the information noted above the undersigned officer relayed said information to USPO Latoya Judson.

The undersigned officer subsequently spoke to USPO Judson who confirmed that the defendant was not preapproved to travel to Virginia or be on the curtilage of Women's Clinic Health. She informed that the defendant was preapproved to travel to North Carolina from November 21, 2022, to December 6, 2022, to see family and had reported to her when he started his preapproved travel and when he returned back to the Southern District of Mississippi, as instructed. However, she noted that as of this writing, she has not spoken to the defendant regarding the alleged violations.

Respectfully Petitioning the Court as Follows:

Due to the alleged violation of conditions of release, Pretrial Services respectfully recommends a show cause hearing be issued. Assistant U.S. Attorney Amanda Klopff has been notified of the alleged violations.

Honorable Barbara D. Holmes
U.S. Magistrate Judge
RE: Petition for Action on Coleman Boyd
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Approved by:



Andrea M. Testa
Supervisory U.S. Probation Officer

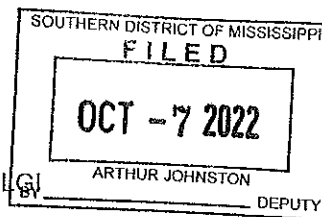
UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

United States of America
 v.
 COLEMAN ALEXANDER BOYD

Case No. 3:22mj185-LGI



Defendant

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 34 U.S.C. § 40702.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: Pretrial Services, 719 CHURCH ST., 1ST FLOOR, NASHVILLE, TN*Place*AND/OR AS DIRECTED BY THE COURT ON OCTOBER 12, 2022 BEFORE NOONon 10/12/2022*Date and Time*

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- ☐ (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- ☒ (7) The defendant must:

- ☒ (a) submit to supervision by and report for supervision to the United States Probation Office, telephone number 601-608-4900, no later than as directed.
- ☒ (b) continue or actively seek employment.
- ☐ (c) continue or start an education program.
- ☒ (d) surrender any passport to: United States Probation Office
- ☒ (e) not obtain a passport or other international travel document.
- ☒ (f) abide by the following restrictions on personal association, residence, or travel: remain in the State of Mississippi at all times during the pendency of these proceedings unless special permission is obtained from the Court and to travel to Nashville, TN to attend Court proceedings.

- ☒ (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: prohibited from entering any building that contains a facility that provides reproductive health services, the curtilage of such a building or being within 20 feet of
- ☒ (h) get medical or psychiatric treatment: participate in an evaluation to assess the presence, nature, and severity of substance abuse problem such a building

- ☐ (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- ☐ (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- ☒ (k) not possess a firearm, destructive device, or other weapon.

- ☒ (l) not use alcohol (☐) at all (☒) excessively.

- ☒ (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- ☒ (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- ☒ (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- ☐ (p) participate in one of the following location restriction programs and comply with its requirements as directed.

- ☐ (i) Curfew. You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or

- ☐ (ii) Home Detention. You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- ☐ (iii) Home Incarceration. You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or

- ☐ (iv) Stand Alone Monitoring. You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.

Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

ADDITIONAL CONDITIONS OF RELEASE

- (☐) (q) submit to the following location monitoring technology and comply with its requirements as directed:
- (☐) (i) Location monitoring technology as directed by the pretrial services or supervising officer; or
 - (☐) (ii) Voice Recognition; or
 - (☐) (iii) Radio Frequency; or
 - (☐) (iv) GPS.
- (☐) (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.
- (☒) (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (☒) (t) Confer with Probation Officer prior to filling a prescription to make sure medication is not on a restricted list. Permit Probation Officer to visit at any time (at home or elsewhere) and permit confiscation of any contraband observed in plain view.
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ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

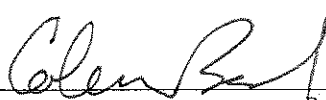
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

Jackson, MS

City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
- (☐) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 10/6/2022



Judicial Officer's Signature

LaKeysha Greer Isaac, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL