

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

<b>UNITED STATES</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:22-cr-00327-3</b>
	)	<b>Judge Trauger</b>
<b>CALVIN ZASTROW</b>	)	<b>Magistrate Judge Holmes</b>

**ORDER MODIFYING CONDITIONS OF RELEASE**

A hearing on the petition for action on conditions of pretrial release filed on December 9, 2022 (Docket No. 215) was held on December 20, 2022. The defendant Calvin Zastrow appeared with counsel, Robert Parris. Also appearing was Assistant U.S. Attorney Amanda Klopff for the United States, along with U.S. Pretrial Services officer Douglas Murphy.

The Court was advised that the defendant, the United States, and Pretrial Services reached an agreement for modification of the conditions of the defendant's pretrial release to address the issues raised in the petition but without adjudication of the alleged violations. Accordingly, the Court will take no further action on the petition with reservation for Pretrial Services to include the alleged circumstances in any future petition for actions on conditions of pretrial release.

To provide context for the modified conditions, the Court notes that, among the conditions of release for the defendant and all other co-defendants in this proceeding is a location restriction that prohibits each defendant from entering or being within a specified distance from any building or the "curtilage" of any building in which a reproductive health services (or women's health services) facility is located without prior approval of Pretrial Services. This condition is the subject of the December 9 petition. Upon further consideration of this condition, it is apparent that the term "curtilage" lends itself to differing definitions and interpretations and therefore creates the possibility of unintended noncompliance, as well as difficulty in enforcement. Accordingly,

pursuant to 18 U.S.C. § 3142(c)(3), the Court modifies the conditions of the defendant's pretrial release replacing the referenced existing location condition, which is currently found in Condition 7(x), *see* Docket No. 62-2 at 4, with the following:


The defendant must not enter any building in which a facility that provides reproductive health services is located, must not be within 100 feet of any entrance of any such building, and must not be in any parking lot that directly services any such building, without prior approval of Pretrial Services.

Additionally, the travel restriction Condition 7(g), *see* Docket No. 103, is modified by replacing it with the following condition:<sup>1</sup>

The defendant may travel within the continental United States for speaking engagements at church or non-profit functions and retreats for which he will receive income, provided he notifies Pretrial Services at least seven (7) days in advance of the purpose and nature of the travel, the location of travel, and the dates of travel, and Pretrial Services approves such travel. The notification to Pretrial Services must include: (i) specific details of the nature and purpose of the travel; (ii) the means by which the defendant will travel and if, by air, confirmation of flights; (iii) the address of the location where the defendant will reside during the travel, and if, commercial lodging, confirmation of booking; and, (iv) the address of any gathering, function, retreat, or other event in which the defendant will be participating, including whether a reproductive or women's health facility is located at the address.

All other conditions of release previously imposed and not modified herein remain unchanged and in full force and effect.

It is SO ORDERED.

  
BARBARA D. HOLMES  
United States Magistrate Judge

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<sup>1</sup> The Court has provided additional clarification in this modified condition to reasonably assure the defendant's understanding and for ease of compliance.