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9  
10 IN THE UNITED STATES DISTRICT COURT FOR THE  
11 EASTERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 vs.

15 JAMES MASTERSON,

16 Defendant.

Case No.: 2:18-CR-0010 TLN

STIPULATION AND ORDER  
REGARDING AMENDMENT OF  
DEFENDANT'S CONDITIONS OF  
PRETRIAL RELEASE

17 The United States of America, through its counsel Assistant  
18 U. S. Attorney Justin Lee, and defendant James Masterson,  
19 through his counsel Clyde M. Blackmon, stipulate that Mr.  
20 Masterson's conditions of pretrial release may be modified to  
21 require him to reside for a period of 90 days in the inpatient  
22 substance abuse treatment program at the Turning Point Treatment  
23 Center facility in Franklin, Pennsylvania and comply with all  
24 rules and regulations of that program until such time as he is  
25 released from the program by his pretrial services officer. It  
26 is also stipulated that the condition of release that requires  
27 Mr. Masterson to be subject to location monitoring/home  
28 detention shall be suspended during such time as he is residing  
at Turning Point. Finally, it is stipulated that Mr.

1 Masterson's conditions of pretrial release may be further  
2 modified as set forth in the attached Amended Special Conditions  
3 of Release.

4 Mr. Masterson is charged in two counts with use of a  
5 communication facility to facilitate a drug trafficking offense  
6 (21 U.S.C. § 843(b)) and he has been on pretrial release since  
7 he was released from custody on March 2, 2018. Renee Basurto is  
8 his supervising pretrial services officer in this district. Mr.  
9 Masterson lives in New Castle, Pennsylvania and is under  
10 courtesy supervision by a pretrial services officer in the  
11 Western District of Pennsylvania.

12 On July 20, 2018, Ms. Basurto notified Magistrate Judge  
13 Claire that Mr. Masterson had violated his conditions of release  
14 by submitting urine samples that were confirmed positive for THC  
15 marijuana and/or codeine and/or morphine on April 4, 2018, April  
16 27, 2018, May 16, 2018 and May 23, 2018. In addition, Mr.  
17 Masterson left his home without permission on July 6, 2018. He  
18 has admitted that his urine tested positive for opiates and THC  
19 marijuana and that he did not have prescriptions for those  
20 drugs.

21 Initially Ms. Basurto anticipated filing formal allegations  
22 that Mr. Masterson had violated conditions of his pretrial  
23 release. However, after she confirmed the availability of the  
24 Turning Point inpatient treatment program for Mr. Masterson and  
25 discussed the situation with counsel for the government and the  
26 defense as well the supervising pretrial release officer in the  
27 Western District of Pennsylvania it is now the request of all  
28 parties that the conditions of Mr. Masterson's pretrial release

be modified in accordance with this stipulation as set forth in the attached Amended Special Conditions of Release.

The parties anticipate that Mr. Masterson will be able to take up residency in the Turning Point Treatment Center program at 4849 US 322, Franklin, Pennsylvania on Friday, August 10, 2018.

IT IS SO STIPULATED.

DATED: August 8, 2018 Rothschild Wishek & Sands LLP

By: //s// Clyde M. Blackmon  
CLYDE M. BLACKMON  
Attorneys for Defendant  
James Masterson

DATED: August 8, 2018 By: //s// Clyde M. Blackmon for  
Justin Lee,  
Assistant U.S. Attorney

ORDER

GOOD CAUSE APPEARING upon the stipulation of the parties, it is ordered that the conditions of defendant James Masterson's pretrial release are modified as follows.

1. Commencing on August 10, 2018, defendant James Masterson is required to reside for a period of 90 days in the inpatient substance abuse treatment program at the Turning Point Treatment Center facility located at 4849 US 322, Franklin, PA 16323 and comply with all rule and regulations to the program until such time as he is released from the program by his pretrial services officer.

2. Mr. Masterson shall comply with all of the conditions of his pretrial release listed on the attached Amended Special Conditions of Release.

1           3. The condition of Mr. Masterson's pretrial release that  
2 requires him to be subject to location monitoring/home detention  
3 is hereby suspended during such time as he is residing in the  
4 Turning Point Treatment Center program.

5           IT IS SO ORDERED.

6 Dated: August 9, 2018

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DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE