

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
DOCKET NO. 5:19-cr-22-MOC-DSC-4

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
	)	
<b>v.</b>	)	
	)	MOTION OF DEFENDANT
	)	ROBERT CANNON HAYES FOR
	)	TEMPORARY RETURN OF
<b>GREG E. LINDBERG</b>	)	HIS PASSPORT
<b>JOHN D. GRAY</b>	)	
<b>JOHN V. PALERMO, JR.</b>	)	
<b>ROBERT CANNON HAYES,</b>	)	
	)	
<b>Defendants.</b>	)	

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Defendant Robert Cannon Hayes, by and through counsel, respectfully moves the Court for an Order directing the temporary return of his passport on or before July 5, 2019, and Mr. Hayes’s re-surrender of his passport to his U.S. Probation Officer on or before July 15, 2019. In support of this motion, Mr. Hayes shows the Court:

1. Mr. Hayes was indicted under seal on or about March 18, 2019 for alleged violations of 18 U.S.C. §§ 1349, 666(a)(2), 1001(a)(2), and 2. The indictment was unsealed on April 2, 2019 and Mr. Hayes was arraigned the same day. Mr. Hayes entered a plea of not guilty.
2. Also on April 2, 2019, Mr. Hayes was released from custody pending trial, and the Court entered an Order Setting Conditions of Release for Mr. Hayes [Doc. 23], which conditions include the requirements that Mr. Hayes surrender his United States passport to the Office of Probation and Pretrial Services, and that he travel only in the Western District of North

Carolina, Middle District of North Carolina, Eastern District of North Carolina, or the District of South Carolina, or otherwise as approved by the Office of Probation and Pretrial Services.

3. Mr. Hayes now seeks the temporary return of his passport for the purpose of conducting previously planned, personal travel with his family outside of the United States between the dates of July 7, 2019 and July 12, 2019.

4. Counsel for Mr. Hayes requested permission from Mr. Hayes's U.S. Probation Officer for Mr. Hayes to travel outside the United States from July 7, 2019 to July 12, 2019, which permission was granted. Counsel for Mr. Hayes further consulted with Mr. Hayes's U.S. Probation Officer regarding the temporary return of Mr. Hayes's passport. Mr. Hayes's Probation Officer does not object to the temporary return of Mr. Hayes's passport for the purpose of this personal travel.

5. Counsel for Mr. Hayes likewise consulted with the government, and the government does not oppose this motion.

**WHEREFORE**, defendant Robert Cannon Hayes respectfully moves this Court for an Order directing the temporary return of his passport on or before July 5, 2019 and Mr. Hayes's re-surrender of his passport to his U.S. Probation Officer on or before July 15, 2019.

Respectfully submitted, this the 24<sup>th</sup> day of May, 2019.

/s/ Kearns Davis

Kearns Davis

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

This the 24<sup>th</sup> day of May, 2019.

/s/ Kearns Davis

Kearns Davis