

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 8:15-mj-1759TBM


MARTIN ALAN SCHNITZLER,  
\_\_\_\_\_ /

ORDER OF RELEASE

It is hereby **ORDERED**:

1. That the United States Marshal is hereby directed to release the above-named defendant upon his/her agreement, in writing, to comply with the following conditions of release.
2. That the conditions of release are hereby established as set forth below.

**Done and Ordered** in Tampa, Florida, this 17<sup>th</sup> day of November, 2015.



THOMAS B. McCOUN III  
UNITED STATES MAGISTRATE JUDGE

**CONDITIONS OF RELEASE**

1. The defendant must appear before the Court in accordance with all notices.
2. The defendant must not, at any time, for any reason whatsoever, leave the Middle District of Florida without first obtaining written permission of the United States District Court for the Middle District of Florida, Tampa Division.
3. The defendant must not change his present address without first advising, in writing, the United States Pretrial Services for the Middle District of Florida, Tampa Division.
4. The defendant shall not commit a federal, state or local crime during the period of his release. The defendant shall inform the Pre-Trial Services Agency **immediately** if arrested or otherwise charged with any offense. The defendant is specifically advised that federal law prohibits conduct relating to intimidation of witnesses, jurors and officers of the Court (18 U.S.C. § 1503); conduct relating to obstruction of criminal investigations (18 U.S.C. § 1510); conduct involving tampering with witnesses, victims or informants (18 U.S.C. § 1512); and conduct involving retaliation against a witness, victim or informant (18 U.S.C. § 1513), as well as attempts to commit any of the foregoing acts.
5. **SPECIAL CONDITIONS OF DEFENDANT'S RELEASE:**
  - The defendant shall report to the United States Pre-Trial Services Agency, Tampa Division, by telephone or in person as directed by the Agency.
  - Defendant shall abstain from use of all illegal substances and shall submit to any method of testing by the Pretrial Services Office or the supervising officer for determining whether the Defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system and/or any form of prohibited substance screening or testing.
  - Defendant shall participate in an out-patient counseling program if directed by the Pretrial Services Agency.
  - The Defendant shall not attempt to obtain any new travel documents during pendency of case.
  - Maintain employment or if unemployed, actually seek employment.

- Avoid being within 1000 feet of any mosque or other Islamic meeting place.
- Refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 302 unless prescribed by a licensed medical practitioner.
- Refrain from possessing a firearm, destructive device or dangerous weapon.
- Participate in one of the following home confinement program components and abide by all the requirements of the program which include electronic monitoring or other location verification system. You shall pay all or part of the cost of the program based upon your ability to pay as determined by the Pretrial Services Office or supervising officer.
- Curfew: Defendant is restricted to his residence from 8:00 p.m. to 6:00 a.m. or as directed by the Pretrial Services Office or supervising officer.
- 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 as pre-approved by the Pretrial Services Office or supervising officer.
- Defendant shall post a \$10,000 personal surety bond to be co-signed by his father.

6. A violation of any of the above conditions may result in the immediate issuance of a warrant for the defendant's arrest and may result in a forfeiture of the bond previously given.

Further, upon re-arrest, the defendant may be detained in jail without the setting of new conditions of release.

Moreover, a person who violates his conditions of release may be prosecuted for contempt of Court.

7. A defendant commits a separate offense against the laws of the United States if, after having been released under these conditions of release, he knowingly fails to appear before a Court as required by the conditions of release, or knowingly fails to surrender for service of a sentence pursuant to a court order. If a person fails to appear in connection with –
- (a) an offense punishable by death, life imprisonment or imprisonment for a term of 15 years or more, the penalties for failure to appear are a \$250,000 fine, or imprisonment for not more than 10 years, or both;

- (b) an offense punishable by imprisonment for a term of five or more years, but less than 15 years, the penalties for failure to appear are a fine of not more than \$250,000, or imprisonment for not more than five years, or both;
- (c) any other felony, the penalties for failure to appear are a \$250,000 fine, or imprisonment for not more than two years, or both;
- (d) a misdemeanor, the penalties for failure to appear are a \$100,000 fine (if the offense occurred after November 1, 1987), or a \$25,000 fine (if the offense occurred before November 1, 1987), or imprisonment for not more than one year, or both.

At the present time, the charge in this case involves penalties which equal or exceed the penalty set forth in subparagraph (b), and therefore, the penalties for failure to appear are those conditions in that subparagraph.

Any term of imprisonment imposed for failure to appear is required by law to be consecutive to the sentence of imprisonment for any other offense.

- 8. Furthermore, federal law provides that a person convicted of an offense which is committed while the defendant is released under these conditions of release shall be sentenced, in addition to the sentence prescribed for the offense, to a term of imprisonment of not more than 10 years if the offense is a felony; or a term of not more than one year, if the offense is a misdemeanor. Any term of imprisonment imposed pursuant to this provision of law is to be consecutive to any other term of imprisonment.

**ACKNOWLEDGMENT BY DEFENDANT**

I acknowledge that I have read the above or that the above has been read to me and that I fully understand the conditions of my release or admission to bail and the possible penalties for the violation of any of those conditions.

I further acknowledge that I have been given a copy of this instrument, as well as a copy of the bail bond to which it is attached.

Signed in Tampa, Florida, this 17<sup>th</sup> day of November 2015.

W. R. All, Jr.  
WITNESS

Martin Schmitz  
DEFENDANT

1. The Middle District of Florida consists of the following Florida counties: Baker, Bradford, Brevard, Charlotte, Citrus, Clay, Collier, Columbia, DeSoto, Duval, Flagler, Glades, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Lake, Lee, Madison, Marion, Manatee, Nassau, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Seminole, Sumter, Suwanee, Union, and Volusia.
2. The telephone numbers and mailing address for the Clerk of the United States District Court for the Middle District of Florida, Tampa Division, are: (813) 301-5400; and 801 North Florida Avenue, Second Floor, United States Courthouse, Tampa, FL 33602.
3. The telephone number of the United States Marshal's Office for the Middle District of Florida, Tampa Division, is: (813) 483-4200.
4. The telephone number and mailing address of the United States Attorney for the Middle District of Florida, Tampa Division, are: (813) 274-6000; and Park Tower, Suite 3200, 400 North Tampa Street, Tampa, FL 33602.
5. The telephone number and address of the United States Pre-Trial Services Agency, Tampa Division, are: 301 Federal Building, 500 Zack Street, Tampa, FL 33602; and (813) 225-7648 (or 1 (800) 676-0125).
6. NOTICE TO COUNSEL AND DEFENDANT: In cases assigned to United States Magistrate Judge Thomas B. McCoun III, any requests to travel outside the area set forth in this document must be submitted in a **written motion with a proposed order** at least **three (3)** days prior to the date upon which travel is expected to begin. Failure to comply with this requirement will result in automatic denial of the request unless a showing is made that an actual emergency situation exists, such as serious illness in the family.