

LANKLER SIFFERT & WOHL LLP

ATTORNEYS AT LAW

500 FIFTH AVENUE
NEW YORK, N. Y. 10110-3398
WWW.LSWLAW.COM

TELEPHONE (212) 921-8399

TELEFAX (212) 764-3701

DOC # _____

October 21, 2016

BY HAND:

Honorable Sarah Netburn
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007



Re: United States v. Percoco, et al., 16 Mag. 6005

Dear Judge Netburn:

We represent Peter Galbraith Kelly, Jr. in the above-referenced matter. Following his September 22, 2016 presentment on a complaint, the Court released Mr. Kelly on a \$50,000 personal recognizance bond, co-signed by one financially responsible person (his wife), that limits his travel to Connecticut and New York. The bond also requires Mr. Kelly to surrender his passport, not apply for any new travel documents, undergo regular pretrial supervision, and surrender any firearms.

Mr. Kelly respectfully requests that his bond be modified as follows:

First, Mr. Kelly respectfully requests that the bond be modified to allow him to travel to North Carolina on an ongoing basis, so long as he gives Pretrial Services advance notice of the travel and provides details about the dates and method of travel, where he plans to stay, and a telephone number at which he may be reached at any time. Mr. Kelly owns a boat in North Carolina and needs to travel there regularly to care for the boat and related equipment. Additionally, Mr. Kelly needs to complete arrangements for the boat to be in the charter fishing business, so he can help support himself and his family during the pendency of this case. To the extent possible, Mr. Kelly will provide Pretrial Services with documentation of the charter fishing business.

Second, Mr. Kelly requests that he be permitted to travel with his wife to attend to the boat in Beaufort, North Carolina and to visit their son in Columbus, Ohio from October 28 to November 7, 2016. Parts of the trip would be spent driving to and staying various nights in

LANKLER SIFFERT & WOHL LLP

ATTORNEYS AT LAW

500 FIFTH AVENUE
NEW YORK, N. Y. 10110-3398
WWW.LSWLAW.COM

TELEPHONE (212) 921-8399
TELEFAX (212) 764-3701

Judge Netburn
October 21, 2016
Page 2

Maryland, North Carolina, Ohio, and New York. Mr. Kelly would provide his exact itinerary to Pretrial Services and would return to his home in Connecticut on November 7, 2016.

Pre-Trial Services has informed me that it consents to these requests. The government has informed me that it consents to the second request (travel from October 28 to November 7) and that it is still considering the first request (travel to North Carolina with Pretrial Services' permission).

Respectfully submitted,



Daniel M. Gitner

CC:

Janis Echenberg, Assistant United States Attorney (S.D.N.Y.)
Rena Bolin, United States Pretrial Services Officer (S.D.N.Y.)
Kevin Del Biondo, United States Probation Officer (D. Conn.)

10/25/16

The request to alter Peter Galbraith Kelly, Jr.'s bail conditions to permit him to travel, as outlined above, is granted. However, Mr. Kelly must supply his assigned Pretrial Services Officer such information and documentation as she requests, respecting his charter fishing business, prior to traveling as authorized by this Memorandum Enforcement.

SO ORDERED:

Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.