

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 6:17-CV-03041-MDH</b>
	)	
<b>DANIEL SNOW,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

Before the Court is the Report and Recommendation of the Magistrate Judge. (Doc. 27). The Magistrate Judge recommends that the Government’s Motion for Conditional Release (Doc. 23) be granted and that the Defendant be released pursuant to 28 U.S.C. § 4246(e) subject to the conditions enumerated by M.D. Smith. (Doc. 23-2). Both parties have waived the 14-day period to file objections, and the matter is now ripe for review. (Doc. 26, at 3).

Defendant was charged with bank robbery in August 2015. (Doc. 23-2 at 3). He was determined not competent to proceed to trial and was committed civilly on July 25, 2017. *Id.* A Risk Assessment Panel led by Ashley Christiansen, Ph.D., found that Defendant has recovered from his mental disease or defect to such an extent that his conditional release is now appropriate under 18 U.S.C. § 4246(e) and have recommended he be granted conditional release. (Doc. 23-1, at 14). Staff at the USMCFP have recommended appropriate arrangements and treatment for Defendant upon release. (Doc. 23-2, at 2).

After careful consideration of the record, the Court agrees with and hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge. The Government’s Motion for Conditional Release is **GRANTED**. The Court orders that Defendant be, and hereby is, conditionally

**RELEASED** pursuant to 28 U.S.C. § 4246(e) under the following conditions once suitable release arrangements, including notification to the appropriate persons to schedule an arrival date, finalization of release paperwork, transportation arrangements, initial appointments for mental health aftercare, and contact with the assigned U.S. Probation Officer, are completed. These arrangements shall be completed without unreasonable or unnecessary delay.

1. Once a bed is available, he shall reside at a Community Enhancement Resident Program. The specific location will be determined at release, based on bed availability. Any change in residence must be pre-approved by U.S. Probation.
2. He shall be supervised by the U.S. Probation Office.
3. He shall actively participate in, and cooperate with, a regimen of mental health care and case management as directed by the treating mental health provider. This is to include voluntary admission to an inpatient program for stabilization should it be deemed necessary.
4. He shall continue to take medication, including injectable units, as shall be prescribed for him by the medical provider.
5. He shall waive his rights to confidentiality regarding his mental health treatment in order to allow sharing of information with the supervising U.S. Probation Officer and other mental health treatment providers, who will assist in evaluating his ongoing appropriateness for community placement.
6. He shall refrain from the use of alcohol and illegal drugs, as well as the abuse of over-the-counter medications, and submit to random urinalysis testing as warranted by treating mental health staff and/or the probation officer. He shall

- participate in substance abuse treatment as deemed necessary by the treatment provider.
7. He shall not have in his possession, at any time, actual or imitation firearms or other deadly weapons and he may not write, say or communicate threats. He shall submit to a warrantless search on request of his U.S. Probation Officer or any law enforcement officer of his person or property for the purpose of determining compliance with this provision and shall permit confiscation of any such contraband.
  8. He shall not commit a federal, state, or local crime, and that he immediately notify his U.S. Probation Officer if he is arrested or questioned by any law enforcement officer. He shall not associate with any person convicted of a felony unless granted permission to do so from his U. S. Probation Officer.
  9. He shall attend to the Dade County misdemeanor charge of Refusal to Pay Transit Fee in a manner that will avoid further charges or arrest.
  10. He shall abide by all parameters set forth in the active Order of Protection of Melvin Robinson issued by Dade County Court.
  11. Annual reports shall be written by the U.S. Probation Office regarding the status of his conditional release. The report shall be submitted to the Legal Department at USMCFP Springfield, Missouri, for filing with the Court.

**IT IS SO ORDERED.**

DATED: March 18, 2019

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**