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Attorneys for Defendant  
BENJAMIN MARTIN

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

|                           |   |  |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, | ) | Case No. 1:21-cr-00228-JLT-BAM         |
|                           | ) |  |
| Plaintiff,                | ) | <b>STIPULATION AND ORDER TO IMPOSE</b> |
|                           | ) | <b>CONDITIONS OF RELEASE</b>           |
| vs.                       | ) |  |
|                           | ) | Date:                                  |
| BENJAMIN JOHN MARTIN,     | ) | Time:                                  |
|                           | ) | Judge: Hon. Barbara A. McAuliffe       |
| Defendant.                | ) |  |
|                           | ) |  |
|                           | ) |  |

IT IS HEREBY STIPULATED and agreed by and between Acting United States Attorney Michele Beckwith, through Assistant United States Attorneys Joseph Barton, counsel for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Benjamin John Martin, that conditions of release be imposed.

1. Mr. Martin is currently incarcerated at FCI Lompoc in the custody of the Bureau of Prisons.
2. His case is currently post-conviction and before the Ninth Circuit.
3. On February 28, 2025, the Ninth Circuit granted his motion for release pending appeal and ordered that he be released from BOP custody. Furthermore, they remanded to the district court to set appropriate conditions of release. Dkt. 144.

- 1           4. Mr. Martin respectfully requests that the conditions of release in effect at the time that he was  
2           sentenced on November 25, 2024 be reimposed in full. *See* Dkt. 8 (Appearance and  
3           Compliance Bond); Dkt. 14 (Modification to \$200,000 property bond); Dkt. 26 (Amended  
4           Conditions of Release); Dkt. 57 (Order removing location monitoring and curfew conditions).  
5           For ease of reference, those conditions are attached as Exhibit A.
- 6           5. The government and U.S. Pretrial Services do not oppose Mr. Martin's request.

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9           Date: March 4, 2025

Respectfully submitted,

10           HEATHER E. WILLIAMS  
11           Federal Defender

12           /s/ Hootan Baigmohammadi  
13           HOOTAN BAIGMOHAMMADI  
14           Assistant Federal Defender  
15           Attorney for Defendant  
16           BENJAMIN MARTIN

17           Date: March 4, 2025

MICHELE BECKWITH  
Acting United States Attorney

18           /s/ Joseph Barton  
19           JOSEPH BARTON  
20           Assistant United States Attorney  
21           Attorneys for Plaintiff  
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**ORDER**

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Date: March 5, 2025



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TROY L. NUNLEY  
CHIEF UNITED STATES DISTRICT JUDGE

# Exhibit A

It is respectfully recommended Your Honor order the defendant be released on a \$200,000 property bond with Pretrial Services Supervision and the following special conditions of release:

1. You must report to and comply with the rules and regulations of the Pretrial Services Agency;
2. You must reside at a location approved by the pretrial services officer and not move or absent yourself from this residence for more than 24 hours without the prior approval of the pretrial services officer;
3. You are released to the third-party custody of Brian Martin;
4. You must cooperate in the collection of a DNA sample;
5. You must restrict your travel to Eastern District of California and Washington D.C., for Court purposes only, unless otherwise approved in advance by the pretrial services officer;
6. You must surrender your passport to the Clerk, U.S. District Court, and you must not apply for or obtain a passport or any other travel documents during the pendency of this case;
7. You must not possess, have in your residence, or have access to a firearm/ammunition, destructive device, or other dangerous weapon; additionally, you must provide written proof of divestment of all firearms/ammunition currently under your control;
8. You must refrain from excessive use of alcohol or any use of a narcotic drug or other controlled substance without a prescription by a licensed medical practitioner; and you must notify Pretrial Services immediately of any prescribed medication(s). However, medicinal marijuana prescribed and/or recommended may not be used;
9. You must submit to drug and/or alcohol testing as approved by the pretrial services officer. You must pay all or part of the costs of the testing services based upon your ability to pay, as determined by the pretrial services officer;
10. You must report any contact with law enforcement to your pretrial services officer within 24 hours;
11. You must comply with the Criminal Protective Orders issued by the Fresno County Superior Court on January 11, 2019 and May 25, 2021;
12. Your release on bond is subject to the posting of one property bond for property belonging to Cara Gray with equity of no less than \$200,000; and,
13. Your release on bond is delayed until the posting of the property bond, at which time you shall report to the Pretrial Services office in Fresno at 9:00 a.m., on the first business day following your release from custody.