

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

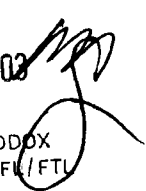
UNITED STATES OF AMERICA, :
Plaintiff, :
v. :
MOSHE ELMAKIAS, :
Defendant. :
_____ :

CASE NO.: 03-20139-CR-MARRA

NIGHT BOX
FILED

OCT 31 2003

CLARENCE MADDOX
CLERK, USDC/SDF/FTL



**AMENDMENT TO DEFENDANT'S MOTION FOR
MINOR MODIFICATION OF BOND CONDITION**

COMES NOW, the Defendant, **MOSHE ELMAKIAS**, by and through his undersigned attorney, and files this *Amendment to Defendant's Motion for Minor Modification of Bond Condition*, filed October 28, 2003, and as grounds would state the following:

1. Attached hereto is Exhibit A, a letter from Mr. Elmakias' employer, Elegant Imports, which states, "When customers see the band on his [Moshe's] ankle, it makes them uncomfortable and makes them question his and our credibility." (Exhibit A).

2. Additionally, the Defendant wants to clarify the relief requested in the wherefore clause of the former motion to request that this Court modify the Defendant's bond condition to delete the electronic monitor condition.

WHEREFORE, the Defendant respectfully requests that this Court grant *Defendant's Motion for Minor Modification of Bond Condition*, filed October 28, 2003, as amended by this *Amendment to Defendant's Motion for Minor Modification of Bond Condition*, and delete the condition that the Defendant wear an electronic monitor.



United States v. Moshe Elmakias,
Case #: 03-20139-CR-MARRA
Amendment to Motion for Minor Modification of Bond Condition
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CERTIFICATE OF SERVICE

I do certify that a copy hereof has been furnished to AUSA Richard Boscovich, United States Attorney's Office, 99 N.E. 4th Street, 4th Floor, Miami, Florida 33132 by facsimile 305-530-6168 this 31st day of October 2003.



LEAH H. MAYERSOHN, ESQ.

Florida Bar No. 0009059

Attorney for the Defendant

The Law Offices of Leah H. Mayersohn, P.A.

515 Seabreeze Boulevard, Suite 301

Fort Lauderdale, Florida 33316

(954) 765-1900

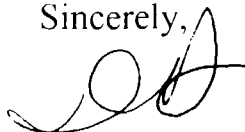
(954) 713-0702 Fax

ELEGANT IMPORTS

To whom it may concern,

I am writing this letter in behalf of Moshe Elmakias. He has been a loyal, hard working employee for three months. He has shown us that he has experience in warehousing and he has been an asset to our company. Unfortunately, there is one problem. We deal directly with the public and the ankle monitor he wears is disturbing to our customers. For instance, Moshe helps in delivering and setting up of our furniture in peoples homes. When customers see the band on his ankle, it makes them uncomfortable and makes them question his and our credibility. The monitor makes it difficult for Moshe to fulfill all aspects of his job requirements. Removal of the monitor will allow us to continue to employ Moshe in the capacity for which he was hired. Please consider removing the monitor as we would all benefit from this action.

Sincerely,



Iris Bitton

EXHIBIT A