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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID ROLAND HINKSON,

Defendant.

Case No. 04-cr-00127-RCT

**UNITED STATES' MOTION TO AMEND  
OPPOSITION TO DEFENDANT'S  
SECOND MOTION FOR  
COMPASSIONATE RELEASE**

Comes now the United States of America, by and through Bart M. Davis, United States Attorney for the District of Idaho, and Syrena C. Hargrove, the undersigned Assistant United States Attorney, and moves the Court to amend the United States' Opposition to Defendant's Second Motion for Compassionate Release (ECF No. 380).

On the date of this filing, the United States received a copy of the attached request for relief dated January 19, 2021, and stamped "received" on February 3. In light of this request, it appears that Mr. Hinkson will have exhausted his remedies at least by March 5, thirty days from

**UNITED STATES' MOTION TO AMEND OPPOSITION TO DEFENDANT'S MOTION  
FOR COMPASSIONATE RELEASE - 1**

the date the request was received. Accordingly, the United States wishes to amend its motion to withdraw the procedural basis for dismissal that it asserted – Hinkson’s alleged failure to exhaust his remedies. The Government notes its continued, strong opposition to the request for compassionate release on the substantive basis asserted in the motion.

Respectfully submitted this 19th day of February, 2021.

BART M. DAVIS  
UNITED STATES ATTORNEY  
By:

/s/ Syrena C. Hargrove  
SYRENA CASE HARGROVE  
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 19, 2021, the foregoing **UNITED STATES' MOTION TO AMEND OPPOSITION TO DEFENDANT'S SECOND MOTION FOR COMPASSIONATE RELEASE** was electronically filed with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following person(s) by:

David Roland Hinkson Prisoner No. 08795-023 Federal Medical Center FMC BUTNER PO Box 1600 Butner, NC 27509	<input checked="checked" type="checkbox"/> United States Mail, postage prepaid <input type="checkbox"/> Fax <input type="checkbox"/> ECF filing <input type="checkbox"/> E-mail
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/s/ Syrena C. Hargrove  
SYRENA C. HARGROVE  
Assistant United States Attorney