

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

CASE NO: 24-cr-248

v.

BARBARA BALMASEDA,

Defendant.

\_\_\_\_\_ /

**DEFENDANT'S S MOTION TO TRAVEL**

COMES NOW, Defendant, Barbara Balmaseda, (hereinafter referred to as "BALMASEDA"), by and through undersigned counsel, hereby requests that this Honorable Court enter an Order permitting the Defendant to Travel, and in support thereof, would state:

1. Defendant was charged and arraigned on June 11, 2024 by the Government on one count of Obstruction of an Official Proceeding §18 USC 1512(c)(2) and four separate misdemeanor counts.
2. At the arraignment, the Honorable Court inquired what was the posture of the parties moving forward and both parties agreed that the Supreme Court of the United States (SCOTUS) addressing the §1512 would impact how this case should proceed forward.
3. On June 28, 2024, the SCOTUS issued a ruling on the only felony count that Ms. Balmaseda has against her in her favor. *Fischer v. United States No. 23-5572*
4. Nonetheless, Undersigned inquired immediately after the arraignment on June 11, 2024 regarding a request by Ms. Balmaseda to travel outside the country for her honeymoon which had been arranged many months (*July 2023*) prior to being charged much less even notified by the Government of the potential arrest. It should be noted that Ms.

Balmaseda was notified by the Government early part of last year of the pending potential charges but yet the Government never proceeded with the charges until she was arrested in the Southern District of Florida on December 14, 2023 by way of criminal complaint.

5. Ms. Balmaseda has always been compliant with her release and has always communicated effectively with her pretrial officer in the Southern District of Florida. She is currently on a \$100,000 personal surety bond.
6. As part of the request, Undersigned provided a detailed itinerary regarding her request for travel from Miami to Barcelona on August 29, 2024 and returning from Rome, Italy to Miami, Florida on September 13, 2024.
7. Since June 11, 2024, Undersigned was informed by the Government that the Government had to speak to supervisors prior to informing of a decision. On July 9, 2024 at 9:05am, the Government finally addressed Undersigned with their opposition. The email read in the following manner: “(i)n order to remain consistent in these cases, the government objects to international travel, including Ms. Balmaseda’s trip”.
8. Thus, the Government is not looking at the totality of the circumstances and making a decision on a case by case analysis. The Government is not making any assessment under the Bail Reform Act or under §18 USC 3142 to determine the decision on the request. What the Government has essentially done is take a broad stroke and said that any January 6 case including Ms. Balmaseda cannot travel outside the country.
9. Ms. Balmaseda asks that this Honorable Court take the correct approach and analyze it carefully and prudently. Ms. Balmaseda is by no means a flight risk or a danger to the community. At all times pursuant to the Government’s request, she has always been

available for all hearings. She has been complaining with pretrial release. The only request made has been for her honeymoon. She is a young female getting married to a United States citizen with her whole family in the United States of America. She has no ties to any other country. Her husband also has ties to the United States. His entire family lives in the United States and they have no ties outside the United States.

10. Undersigned communicated with USPO Nora Heredia-Burgos which advised that she spoke with Pretrial Officer Higgins that Probation defers to this Honorable Court.

**WHEREFORE**, Defendant, Barbara Balmaseda, respectfully request that this Honorable Court grant the Motion to Travel.

**I HEREBY CERTIFY** that a true and correct copy of the foregoing was electronically noticed through the CM/ECF system to AUSA Taylor Fontan at the US Attorney's Office on this 10<sup>th</sup> day of July, 2024.

**Respectfully submitted,**

/s/ *Nayib Hassan, Esq.*

**Nayib Hassan, Esq. / Fla. Bar. No. 20949**  
**LAW OFFICES OF NAYIB HASSAN, P.A.**  
**6175 NW 153 St., Suite 209**  
**Miami Lakes, Florida 33014**  
**Tel. No.: 305.403.7323**  
**Fax No.: 305.403.1522**