

United States District Court
For the District of Columbia

UNITED STATES OF AMERICA,

-v-

ZACHARY JORDON ALAM,

Defendant.

Docket No. 1:21-CR-00901-DLF

**SUPPLEMENTAL FILING TO DEFENDANT ALAM'S
SENTENCING MEMORANDUM**

Defendant Alam, by his undersigned counsel, hereby respectfully files the instant application in conjunction with his leave application to file such supplemental under seal.

I. BACKGROUND

1. Counsel has reached out to Defendant Alam, and his family, specially his mother, to determine if Defendant Alam has any ongoing medical diagnosis, or whether he is currently or recently has been prescribed any medications. Mr. Alam is not currently taking any prescribed medication, so the DC Jail cannot provide any further information that is fruitful to this submission.

2. Again, counsel has not been able to confirm – through any other source – that Defendant Alam is currently undertaking any prescribed medications.

Stated otherwise, Mr. Alam is not prescribed any medical medications since he has been detained at the DC Jail.

3. All the information that counsel was able to ascertain was that Mr. Alam has a history related to alcohol abuse, where he has an arrest for a drinking under the influence charge in approximately 2014; and then after being forced to withdraw from a pre-medical school, Mr. Alam was then admitted into a psychiatric facility in 2015.

4. The rationale or reasons for Mr. Alam being admitted into a psychiatric facility are still somewhat unknown to counsel,¹ but the following is what information can be provided as to what information has been obtained regarding Mr. Alam's mental health. (*See* Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

5. With that being stated, counsel still does not know how such medical circumstances pertain to Mr. Alam's mind set at the time of the instant offense.

6. Nonetheless, Counsel respectfully requests this Court to take Defendants mother's statement into account in determining sentencing.

7. Specially, we request that this this Court not upward depart from the guidelines, and rather downward depart as Mr. Alam clearly has medical and

¹ Counsel has been provided different versions of the reasons Mr. Alam was admitted into a psychiatric facility; but for purposes of this supplemental, counsel will rely on Mrs. Alam, Defendant's mothers account.

mental issues, which clearly require treatment as opposed to an astronomical prison sentence, as the government requests.

II. DEFENDANT ALAM HAS A HISTORY OF ALCOHOL ABUSE, NOT OUTLINED IN HIS PSR, AND WAS ADMITTED INTO A PSYCHIATRIC FACILITY, WHICH ALSO WAS NOT HIGHLIGHTED IN HIS PSR.

8. After deep digging, counsel was able to get Defendant's mother to explain the circumstances regarding Defendant Alam leaving medical school.

9. Specially, Defendant Alam's mother has written the following:

We spoke again today and you [counsel] asked me about whether Zachary went to a psychiatric facility upon leaving medical school. In fact, Zachary was taken to a psychiatric facility, which was initiated by the medical school. Upon further thought this is what I can recall and what I want the court to know. Shortly after Zachary graduated from the University of Virginia in 2014, Zachary was arrested for a DUI. His father and I had to bail him out of jail. Zachary lost his driver's license and was then ordered to attend Alcoholics Anonymous. At the time, Zachary was only 23 years old.

Zachary had already been admitted to the Alabama School of Osteopathic Medicine, so we sent him to Dothan, Alabama with funds for transportation, because he had no license. In addition to classes, Zach attended AA meetings in Alabama. About 2 months after Zach had been attending classes at the Alabama School of Osteopathic Medicine, the school called me to notify me that Zachary had been kicked out of a bar after getting into an altercation with someone over a girl and that this behavior was against the code of ethics for a medical student. Zach was going to be called before the medical school board and expelled from medical school. I was advised to withdraw him rather than the expulsion going on his record. As a family, we came to the conclusion

that it was better for him to withdraw.

At a very young age, Zach was attending medical school, as well as dealing with what I believe to have been a drinking problem. Soon after that, based on my best recollection, I was notified by the school that Zachary was found in a bathroom stall with a belt around his neck. This is around the same time that we made the decision for him to withdraw from medical school. Based on my best recollection, he was then taken by force to a psychiatric facility. After approximately one week, the psychiatric facility called me to come and get Zachary. I was not informed of any medications that the facility wanted Zachary to continue to take and I was not informed of any further treatment plan. I had to assure them that Zach would be coming back to our family home, as well as it was recommended that Zach attend therapy. After Zach returned home, he attended three therapy sessions, but refused to continue, even though I encouraged him and did everything in my position to continue these therapy sessions. He did attend AA meetings, but I recall one occasion he came home drunk. It got to the point where I did call 911 to take him to rehab, but he refused to go. At that time, I attended ALANON group meetings to help me cope with Zach and his drinking abuse. It was at that time I asked Zach to leave the house. Zach moved out of my house in 2015. Since that time, I have done everything I can to be his mother, and communicate with him as much as possible. Still to this day I do not know of him being diagnosed with any mental illness, but I do continue to question any potential mental illness not being properly diagnosed. I do believe that my son has not sought proper treatment, and because of this he has not been diagnosed with anything or prescribed any necessary medication. I hope this gives clarity to my son's situation and the questions that you have posed to me.

(See Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

10. To break this statement and fact down further, first, Alam's mother explains how Defendant first showed signs of alcohol abuse, in stating: "Shortly after Zachary graduated from the University of Virginia in 2014, [he] was arrested for a DUI. His father and I had to bail him out of jail. Zachary lost his driver's license and was then ordered to attend Alcoholics Anonymous. At the time, Zachary was only 23 years old." (*See* Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

11. It must be noted here that Defendant Alam was in AA at the young age of twenty-three (23). Alam lost his driver's license privileges, and was facing criminal charges for driving under the influence. Alam then began medical school without a license, in an area that required one to drive, and his parents gave him "transportation costs" to go to medical school.

12. Within a short period of time, Mr. Alam was to withdraw from medical school. Alam was now lost in this world because what was explained in his sentencing submissions, his father basically abandoned him at that point. Alam went back to live with his mother.

13. Now Alam's mother was informed something that nobody else was: "[she] was notified by the school that Zachary was found in a bathroom stall with a belt around his neck. This is around the same time that we made the decision for him to withdraw from medical school." (*See* Email from Karyn Alam dated

4/29/2024 attached as **Exhibit A**).

14. Counsel has not been able to confirm this information from any other source, and the primary source of this information is from Defendant's mother.

15. This is a serious statement no matter what – Alam was found in a bathroom with a belt tied around his neck, at the age of 23 or 24.

16. After that, Alam was “then taken by force to a psychiatric facility.” (See Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

17. “After approximately one week, the psychiatric facility called [mother] to come and get Zachary. [She] was not informed of any medications that the facility wanted Zachary to continue to take [or] informed of any further treatment plan.” (See Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

18. So, no medication plan or treatment plan after leaving a psychiatric facility. That seems odd, in and of itself.

19. These issues present the main problems we ask this Court to consider. While Alam is un-diagnosed with any mental illness or issues, he also is not proscribed any medical prescriptions to deal with his issues.

20. Alam ultimately has unprescribed medical issues that have not been dealt with, most likely from Alam's defiance to seek and continue medical help. But help is what Alam needs, not a long-term prison sentence.

21. I leave the Court with these words:

Still to this day I do not know of [Alam] being diagnosed with any mental illness, but I do continue to question any potential mental illness not being properly diagnosed. I do believe that my son has not sought proper treatment, and because of this he has not been diagnosed with anything or prescribed any necessary medication. I hope this gives clarity to my son's situation and the questions that you have posed to me.

(See Email from Karyn Alam dated 4/29/2024 attached as **Exhibit A**).

Dated: April 29, 2024

Respectfully Submitted,

/s/ Steven Alan Metcalf II

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