

**COMMONWEALTH OF KENTUCKY
PIKE CIRCUIT COURT
CASE # 25-CR-00225**

COMMONWEALTH OF KY

-VS-

MICHAEL K. MCKINNEY, II

*** **

MOTION TO MODIFY BOND/BAIL

*** **

Comes now the Defendant, Michael K. McKinney, II, by counsel, and hereby moves this Honorable court to modify bond in the above styled action to release the Defendant from home incarceration and ankle monitoring and random drug testing and as grounds states as follows:

HOME INCARCERATION

1. The Defendant, Michael K. McKinney, II, was arrested July 30, 2024. He was placed on home Incarceration and ankle monitoring on August 1, 2024 after posting bail in the amount of \$250,000.00. the Defendant, Michael McKinney, II, has now been on home incarceration (ankle monitoring) for approximately 21 months and two weeks or 655 days.

The Defendant has had no new criminal charges and no violations during the 655 days period.

Trial is now set approximately 8 months from now and if the Defendant remains on home incarceration he would have approximately 29 months and one week or 2 ½ years of Home Incarceration.

DRUG TESTING

NOT ORIGINAL

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2. The Defendant, Michael K. McKinney, II, has been randomly drug tested as part of his pretrial release conditions for approximately a 655 day period. The Defendant has not failed to report for testing nor has he failed any tests.

The Defendant, Michael McKinney, II, is charged with felonies that are non-violent and are not drug related.

The random drug tests have a direct and negative impact on his business as he is pulled from his office for periods of up to two hours leaving patients waiting or delayed from receiving necessary and immediate treatment. Fortunately, up to this point, the Defendant has not been interrupted during an ongoing procedure that would force him to decide between patient safety and immediately reporting for a drug test.

CONCLUSION

3. Based on the facts that the Defendant has successfully followed the courts requirements of all non-financial pretrial release conditions for approximately 655 days, that the Defendant is charged with non-violent and non-drug related offenses and that the Defendant has posted bail in the amount of \$250,000.00 to ensure compliance with all other conditions, the Defendant Michael K. McKinney, II, respectfully moves this court to release him from home incarceration and monitoring as well as random drug testing.

The Defendant further asks the court to rule without hearing.

This 20 day of May, 2026.

Terry D. Jacobs et al
TERRY D. JACOBS
ATTORNEY FOR DEFENDANT
PO BOX 991
HINDMAN, KY. 41822
606-634-9876

CERTIFICATE

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A copy of this motion was sent to Hon. Arnold B. Turner, Commonwealth Attorney,
140 South Lake Drive, Prestonsburg, KY. 41653 on this 20__ day of May, 2026.

____ *Terry D. Jacobs e/s* ____
TERRY D. JACOBS

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-VS-

MICHAEL K. MCKINNEY, II

*** **

ORDER TO MODIFY BOND/BAIL

*** **

Upon motion of Defendant to modify bond/bail and the court being sufficiently advised;

IT IS HEREBY ORDERED that the Defendant be released from Home Incarceration/Ankle Monitoring and random drug testing. All other provisions of bond shall remain the same until further orders of the court.

SO ORDERED THIS ___ DAY OF MAY, 2026.

**HON. EDDY COLEMAN
PIKE CIRCUIT JUDGE**