
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
Magistrate Judge [Name]
,
Defendant.

This case came before the Court for a detention hearing on [Date], at [Time] a.m./p.m.; [Name of AUSA], Assistant United States Attorney, appeared for the United States; defendant appeared in person and was represented by Attorney [Name of Defendant's Counsel]. The Court, acting on its own motion and for good cause after consideration as to the issues of the competency of the defendant,

IT IS HEREBY ORDERED:

1. Pursuant to 18 U.S.C. § 4241, the Court finds there is reasonable cause to believe that the defendant [NAME] may presently be suffering from a mental disease or defect rendering [him/her] mentally incompetent to understand the nature and consequences of

the proceedings against [him/her] and/or to assist properly in [his/her] defense.

2. Pursuant to the provisions of 18 U.S.C. §§ 4241 and 4247(b) and (c), prior to setting a hearing to determine defendant's competency, the Court orders that a psychiatric examination of defendant be conducted, inquiring into the issues of the competency of the defendant presently to proceed, and that a written report be prepared of such examination which is to be filed with the Court.

3. Further, the report shall include: (1) The person's mental health and medical history and present symptoms; (2) A description of the psychiatric, psychological, and medical tests that were employed, and their results; (3) The examiner's findings; and (4) Whether the person is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against [him/her] or to assist properly in [his/her] defense.

4. For the purpose of conducting the psychiatric examination, the United States Marshal is directed to transport defendant, without unnecessary delay, to a federal facility as determined by the Bureau of Prisons. Following completion of the psychiatric examination, and unless otherwise ordered, the United States Marshal shall return defendant to the District of Utah.

5. A summary of the person's medical and mental status is to be provided to the United States Marshal upon transport from the Bureau of Prisons facility.

6. All prescribed medications shall be identified in written form, be presented to the United States Marshal upon transport and shall accompany defendant during transport.

IT IS FURTHER ORDERED, IN ACCORDANCE WITH THE PROVISIONS OF 18 U.S.C. § 3161, that the period of delay caused by the examination directed shall be excluded in computing the time within which trial in this matter must commence under the Speedy Trial Act.

DATED this _____ day of _____, 200____.

BY THE COURT:

[Name of Judge]
United States Magistrate Judge