

STATE OF MAINE
KENNEBEC, ss

SUPERIOR COURT
CR-14-449

STATE OF MAINE

v.

**ORDER ON DEFENDANT'S COMPETENCE
TO STAND TRIAL**

LEROY SMITH III

Background

Leroy Smith III stands accused of intentionally or knowingly, or with depraved indifference, causing the death of his father in Gardiner, Maine on May 3, 2014. Mr. Smith has been represented throughout these proceedings by Attorneys Pam Ames and Scott Hess, and the State is represented by Assistant Attorney General Don Macomber. The issue of Mr. Smith's competence to stand trial has been pending since shortly after his arrest on this charge, May 5, 2014. This matter was originally assigned to Justice Donald Marden but was reassigned to the undersigned Justice on December 15, 2016.

Justice Marden has issued multiple orders in this case. In May of 2014, Justice Marden ordered that Mr. Smith be evaluated for competence. After Dr. Ann LeBlanc, head of the State Forensic service, found on May 13, 2014 that Mr. Smith lacked the skills required for competence, Justice Marden on June 23, 2014 ordered that he be transferred to Riverview Psychiatric Facility for treatment and evaluation where he has

remained since that date. Dr. Robert Riley on August 15, 2014 conducted a neuropsychological evaluation of Mr. Smith and concluded that Mr. Smith functioned in the high average range of overall intellectual ability, and that he showed no signs of head trauma or other cognitive impairments. Dr. Leblanc evaluated him again in October of 2014 and concluded that as of that date Mr. Smith was still floridly delusional. She saw him again in December of 2014 and found his condition unchanged.

Justice Marden on January 5, 2015 issued an order finding Mr. Smith incompetent to stand trial and ordered that he remain at Riverview for restoration of competence, and ordered periodic evaluations of Mr. Smith pursuant to 15 M.R.S. §101-D. Pursuant to that order, Dr. Leblanc evaluated him again and opined in her March 5, 2015 report that Mr. Smith remained incompetent. She stated, however, that competence might be restored if he received medication. Mr. Smith, however, refused to take medication as prescribed by Riverview staff and also refused to be evaluated by Dr. Peter Donnelly.

In June of 2015 the State filed a motion pursuant to 15 M.R.S. §106(3) for the Court to order that Mr. Smith be involuntarily medicated in order to restore competence. In August of 2015, Dr. Donnelly issued a report that agreed with Dr. Leblanc that medication therapy was likely to improve Mr. Smith's condition. On December 2, 2015 Justice Marden conducted a testimonial hearing on the State's motion for involuntary medication. On January 4, 2016 Justice Marden granted the motion, and additionally ordered that the State Forensic Service conduct monthly evaluations and issue reports on Mr. Smith's condition, as well as ordering Riverview to provide updates on Mr. Smith's condition.

Findings and Conclusions

The Court has reviewed all of the prior orders issued by Justice Marden, the available transcripts of hearings, as well as all of the evaluations including the monthly and weekly updates provided by the State Forensic Service and Riverview.¹ In addition, after taking this case over from Justice Marden, the Court conducted testimonial hearings on January 20, 2017 and February 14, 2017. The Defense was asking the Court to find that Mr. Smith was still not competent to stand trial, and to dismiss the charges against him. The State was asking that the Court find that competence had been restored, and for an order extending Justice Marden's order for involuntary medication. At the January 20, 2017 hearing Dr. Leblanc testified along with Dr. Donnelly, Dr. Douglas, and Miriam Davidson who is a Psychiatric Nurse Practitioner. The Defendant's examiner, Dr. Carlyse Voss was not available on that date but he testified on February 14, 2017.

Dr. LeBlanc testified that Mr. Smith's condition had significantly improved since Riverview began medication therapy pursuant to Justice Marden's orders. In addition, she noted that his understanding of the legal system and process had always been "excellent." According to Dr. Leblanc, Mr. Smith has a clear understanding of the role of legal actors, including what it means to plead not criminally responsible and what an indeterminate commitment would mean to his liberty. Remarkably, he also understood what it meant to have a bifurcated trial after entry of a plea of not criminally responsible. She testified that

¹ The Court has not reviewed the most recent report filed by Dr. Douglass on or about April 3, 2017 but ordered that it be sent to counsel of record. The Court did not think it should consider the report, as the record on the competence hearing has been closed by agreement of the parties. Justice Marden's order contemplates further evaluations and this order will address that issue and modify that order.

he seemed reluctant to enter an NCR plea in part because of the experience of another patient.

As of the date of that hearing, Dr. Leblanc testified that he was still not willing to meet with his attorneys -- which had obviously been a source of some frustration and concern on their part. However, Dr. Leblanc testified that Mr. Smith had recently begun to be able "step back" when talking to examiners about the case and his otherwise steadfast delusions about why he killed his father. What was new, she said, was his ability to speak about his case and his attorneys separate from the delusions he still maintained. She said he remained "unrealistic" about what his attorneys could do to investigate his claims, and that he did not trust them. At the same time, she said he was able to see his attorneys as essential to his case. What she described was not a situation where he was unable to communicate with them but more a situation of his not being willing to communicate with them. Nevertheless she described his motivation to cooperate and get through the process as "very high." He wanted, she stated, to be found competent, to proceed to trial, and he wanted his beliefs heard about why he felt he had to kill his father. She said he also understood he risked conviction if his explanation or defense was not believed by a jury or judge. In response to questions from the Court about persons who suffer from a delusional disorders, and whether they can ever be competent if they continue to hold delusions about their motivations to engage in certain criminal conduct, she stated that it was possible for a person with a delusional disorder to be competent to stand trial. The goal would be to have the patient motivated to look at the consequences of certain decisions and figure out what is in their best interest. In Mr. Smith's case, she indicated that he made it very clear that he understood that if his

defense or defenses were rejected by the trier of fact, he would want to then ask that he be found not criminally responsible.

Dr. Donnelly testified that Mr. Smith has always possessed an “excellent understanding” of the legal process, the consequences of certain decisions he might make, and that he has “always understood the players.” The issue, he stated, has always been his ability to assist in his defense. Dr. Donnelly also noted areas of improvement in Mr. Smith’s understanding that there was limited evidence that his father was trying to poison him, and described the “impasse” that existed between himself and his attorneys. He had developed, however, an ability to “compartmentalize” his delusions, an ability which had been lacking previously. He stated that Mr. Smith had the ability to make it through a trial in terms of maintaining his composure, along with the ability to let others know when he had reached a point where he needed to take “a break.” He concluded that Mr. Smith had developed the ability to understand why a jury might think his delusions were “crazy” and that if the jury rejected his defense he would accept the possibility that perhaps the delusions were not real. When asked now if he is sure his delusions are real Mr. Smith’s answer now was, “I just don’t know.”

Dr. Douglass testified that he had seen Mr. Smith twice, most recently on January 12, 2017. He testified that he was able to talk about his day-to-day life in an appropriate way. With respect to his legal situation he continued to reference his delusions but he could talk about his legal situation in a reality-based way. He stated he agreed with Drs. Leblanc and Donnelly about his ability to make it through a trial with breaks and medication, but that he continued to mistrust his attorneys. When asked if he might be receptive to working with new counsel he stated that Mr. Smith might be able to work

better with different counsel. Dr. Douglass stated that his sense was that he felt his attorneys had “dismissed” his beliefs about why he killed his father and that this was the source of his mistrust of them. He agreed with the other examiners that despite his attorneys efforts to have him found not competent, that Mr. Smith very much wanted to be found competent by the Court.

Miriam Davidson testified that Mr. Smith had made significant progress since Justice Marden issued the involuntary medication order. She described him as being open to others, is perceived by others as a leader, and noted that he had been elected President of his unit. She testified that the hospital had started Mr. Smith on Zyprexa which caused a lot of side effects, the worst of which was significant weight gain. However, after changing his medication to Haldol, and finding the “right amount” of that medication, he began to lose most of the weight. She described him as being much more awake, and he was able to exercise and participate in yoga and in an “IST” group. She described him as having a “very high level of functioning” with a good ability to handle conflict and to stay calm. Ms. Davidson testified that while he continued to have delusions, that he was able to “draw them in” which meant that one had to “press him” to talk about the delusions. She did state that while he was taking the medication orally for months without complaint, that she was not sure he would do so if the order was lifted. Overall, she described him as “motivated to move forward.”

Shortly after the January 20, 2017 hearing Ms. Davidson contacted Mr. Smith’s defense counsel to tell them that Mr. Smith was willing to meet with them. A meeting was set up, and by all reports Mr. Smith has been cooperating with his counsel since then.

On February 14, 2017 Dr. Carlisle Voss testified that while he agreed with the other examiners about Mr. Smith's understanding of the legal process and its players, his fixed delusions precluded him from assisting counsel in his defense. He had noted in his report that as of the time of his evaluation of Mr. Smith he was refusing to meet with his attorneys. He testified that had just learned that had recently changed. As to whether it was "rational" for Mr. Smith to undergo a bifurcated trial at which he first asserted his "delusional" defense of self defense, with the understanding that if that failed he would be able to argue that he was not criminally responsible, Dr. Voss declined to opine, suggesting that was a legal decision and not a psychiatric one.

After Dr. Voss testified, Defense Counsel informed the Court that Mr. Smith wanted to testify. After conference with the Court, the Defense and State agreed to participate in a judicial settlement conference with a different Justice at which Mr. Smith would be able to explain his defense and obtain feedback from another Justice about his legal options.

On February 18, 2017 the parties participated in a settlement conference with Justice Anderson after which the parties agreed that the undersigned Justice could review Mr. Smith's unsworn testimony before Justice Anderson and accept it in lieu of reconvening the competence hearing to take Mr. Smith's testimony. After another conference with counsel at which the parties agreed the record for the competence hearing would be closed, the Court gave the State time to file a written argument and the Defense time to respond. The last of the written arguments were filed on April 3, 2017.

After consideration of the arguments, a review of the testimony from prior hearings and in January and February of 2017, as well as all evaluations submitted prior

to April 3, 2017, the Court concludes that the State has proven by a preponderance of evidence Mr. Smith now possesses the skills necessary to assist in his defense.

The Law Court has held that the standard for competence is whether “the accused is capable of understanding the nature and object of the charges and proceedings against him... and of conducting in cooperation with his counsel his defense in rational and reasonable manner.” *State v. Jeskey*, 2016 ME 134, ¶50. The Law Court has also noted in that “a defendant may be mentally competent to stand trial even though he or she may require psychiatric treatment.” *Thursby v. State*, 223 A.2d 61, 68.

The defense has essentially made two arguments on the issue of competence since this matter was assigned to the undersigned. First, they have argued that Mr. Smith is not competent because he could not (or would not) work with his counsel. That issue is now resolved, as after many months of treatment the Defendant has begun to work productively with his attorneys since late January.

The second argument is that the Defendant is not competent because he continues to assert a defense – of self defense – which is grounded in a delusion that his father was poisoning him and that he had no choice but to kill him.² The argument is that this delusion prevents him from conducting, in cooperation with counsel, a rational defense. The Court disagrees. As the State points out and as the Law Court has noted, “The fundamental concern in a competence inquiry...is ‘with the mental capacity of the accused as it relates to the criminal adjudication process.’” *State v. Vane*, 322 A. 2d 58, 62 (Me. 1974). The focus is not, as the Defense claims, on whether or not a criminal

² As the Court understands Mr. Smith’s evolution in thinking about why he killed his father, at various times he has reported to multiple examiners that the Hell’s Angels and other motorcycle gangs, along with the band Slayer, played some role in his decision take his father’s life. All examiners who testified gave various versions of these delusions and most noted that the delusions had evolved over time. They all agree that he suffers from a delusional disorder that had culminated into a psychosis at the time of the killing.

defendant had irrational thoughts during the commission of the offense, and holds onto some or all of those delusions after the event . The Court could envision a case involving a defendant with a delusional disorder which is so acute that it prevents him or her from cooperating with defense counsel to form a coherent and rational defense strategy. Mr. Smith is not that defendant. On the contrary, Mr. Smith has been able, with the assistance of his counsel, to formulate alternative legal strategies which he clearly understands. He can articulate the order in which his counsel will proceed to make certain arguments, and understands what will happen if those arguments fail to carry the day.

This strategy has to be understood in terms of his appreciation of the risks that attend each stage of the strategy. The ability to appreciate the risk of pursuing a particular legal strategy, and the ability to rationally make defense decisions which factor in those risks, are core skills that are essential to competence. He now possesses those abilities -- in addition to his relatively sophisticated understanding of the legal process and the actors within it, his ability to work with his attorneys, and his ability to make it through the rigors of court proceedings, albeit with some accommodations. Finally, he now has the ability to understand and articulate the risks presented at every stage of the criminal process and to make decisions that would appear to be in his best interests.

With respect to the order which now permits involuntary medication of Mr. Smith, there is an unresolved issue in Maine law as to whether the Court has the authority to maintain such an order once competence has been restored. As the parties know, however, competence can come and go for a person, like Mr. Smith, who the parties agree suffers from a serious mental illness. The Court will therefore order that Mr. Smith remain committed to Riverview for treatment and observation pursuant to 15 M.R.S. 101-

D(4). Further, Riverview and the State Forensic Service are ordered to continue to provide reports to the Court as to whether there has been any change in Mr. Smith's competence and/or whether he continues to voluntarily take medication as prescribed by Ms. Davidson.

The entry will be: The State has proven by a preponderance of evidence that Mr. Smith is now competent to stand trial. The State Forensic Service is ordered to provide updated evaluations on his competence every 30 days until trial, beginning 30 days from the date of this order, and shall make an examiner available to evaluate Mr. Smith during the trial process. Riverview shall continue to provide reports on Mr. Smith's mental condition to the Court every two weeks beginning May 12, 2017 until trial. Mr. Smith shall remain in the custody of the Commissioner of the Department of Health and Human Services for treatment and observation to maintain his competence.

5 / 1 / 17

DATE

Michael J.

SUPERIOR COURT JUSTICE

STATE OF MAINE
vs
LEROY SMITH, III
16 CANNARD ST APT 2
GARDINER ME 04345

SUPERIOR COURT
KENNEBEC, ss.
Docket No AUGSC-CR-2014-00449

DOCKET RECORD

DOB: 09/30/1989

Attorney: PAMELA AMES
LAW OFFICE OF PAMELA J AMES
237 MAIN STREET
WATERVILLE ME 04901
APPOINTED 05/09/2014

State's Attorney: DONALD MACOMBER

Attorney: SCOTT HESS
THE LAW OFFICE OF SCOTT F HESS LLC
72 WINTHROP STREET
AUGUSTA ME 04330
APPOINTED 05/16/2014

Filing Document: CRIMINAL COMPLAINT
Filing Date: 05/06/2014

Major Case Type: HOMICIDE

Charge(s)

1 MURDER 05/03/2014 GARDINER
Seq 621 17-A 201(1) (A) Class M

Docket Events:

05/06/2014 FILING DOCUMENT - CRIMINAL COMPLAINT FILED ON 05/06/2014

05/06/2014 WARRANT - ON AFFIDAVIT ORDERED ON 05/06/2014
DONALD H MARDEN , JUSTICE

05/06/2014 WARRANT - ON AFFIDAVIT ISSUED ON 05/06/2014
DONALD H MARDEN , JUSTICE

05/06/2014 Charge(s): 1
MOTION - MOTION FOR MENTAL EXAMINATION FILED BY STATE ON 05/06/2014

05/06/2014 Charge(s): 1
MOTION - MOTION FOR MENTAL EXAMINATION GRANTED ON 05/06/2014

COPY SENT TO STATE FORENSIC SERVICE

05/07/2014 Charge(s): 1
HEARING - INITIAL APPEARANCE SCHEDULED FOR 05/08/2014 at 08:30 a.m.

NOTICE TO PARTIES/COUNSEL

05/08/2014 WARRANT - ON AFFIDAVIT EXECUTED BY AGENCY ON 05/08/2014 at 08:32 a.m.

05/08/2014 Charge(s): 1
HEARING - INITIAL APPEARANCE HELD ON 05/08/2014
DONALD H MARDEN , JUSTICE

05/08/2014 Charge(s): 1
HEARING - STATUS CONFERENCE SCHEDULED FOR 07/15/2014 at 10:00 a.m.

05/08/2014 Charge(s): 1
CR_200

PLEA - NO ANSWER ENTERED BY DEFENDANT ON 05/08/2014

05/08/2014 BAIL BOND - NO BAIL ALLOWED SET BY COURT ON 05/08/2014
DONALD H MARDEN , JUSTICE

05/08/2014 BAIL BOND - NO BAIL ALLOWED COND RELEASE ISSUED ON 05/08/2014
DONALD H MARDEN , JUSTICE

05/08/2014 MOTION - MOTION FOR MENTAL EXAMINATION FILED BY STATE ON 05/08/2014

05/08/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-OTHER ISSUES ENTERED ON 05/08/2014
DONALD H MARDEN , JUSTICE
FAXED TO STATE FORENSIC THIS DATE.

05/08/2014 MOTION - MOTION FOR MENTAL EXAMINATION GRANTED ON 05/08/2014
DONALD H MARDEN , JUSTICE
COPY SENT TO STATE FORENSIC SERVICE

05/08/2014 MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY DEFENDANT ON 05/08/2014

05/14/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-OTHER ISSUES REPORT FILED ON 05/13/2014

05/14/2014 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 05/13/2014

COPIES SENT TO ATTORNEYS OF RECORD

05/14/2014 MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 05/09/2014
DONALD H MARDEN , JUSTICE
COPY TO PARTIES/COUNSEL

05/14/2014 Party(s): LEROY SMITH III
ATTORNEY - APPOINTED ORDERED ON 05/09/2014

Attorney: PAMELA AMES

05/14/2014 Charge(s): 1
HEARING - STATUS CONFERENCE NOTICE SENT ON 05/14/2014

05/14/2014 MOTION - OTHER MOTION FILED BY DEFENDANT ON 05/14/2014

MOTION TO APPOINT CO-COUNSEL

05/15/2014 ORDER - SPECIAL ASSIGNMENT ENTERED ON 05/14/2014
DONALD H MARDEN , JUSTICE

05/16/2014 MOTION - OTHER MOTION GRANTED ON 05/16/2014
M MICHAELA MURPHY , JUSTICE
MOTION TO APPOINT CO-COUNSEL

05/16/2014 Party(s): LEROY SMITH III
ATTORNEY - APPOINTED ORDERED ON 05/16/2014

Attorney: SCOTT HESS

05/22/2014 Charge(s): 1
SUPPLEMENTAL FILING - INDICTMENT FILED ON 05/16/2014

05/22/2014 LETTER - FROM PARTY FILED ON 05/22/2014

05/22/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-INSANITY ENTERED ON 05/22/2014
M MICHAELA MURPHY , JUSTICE
STATE FORENSIC

05/22/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-OTHER ISSUES ENTERED ON 05/22/2014
M MICHAELA MURPHY , JUSTICE
CR_200

FAXED TO STATE FORENSIC

05/27/2014 MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY DEFENDANT ON 05/27/2014

05/29/2014 MOTION - MOTION FOR APPOINTMENT OF CNSL MOOT ON 05/29/2014

DONALD H MARDEN , JUSTICE

06/04/2014 LETTER - FROM PARTY FILED ON 06/04/2014

06/25/2014 OTHER FILING - OTHER DOCUMENT FILED ON 06/20/2014

LETTER FROM DHHS TO RIVERVIEW: YOU ARE HEREBY AUTHORIZED TO RECEIVE THIS DEFENDANT, LEROY SMITH, III INTO THE RIVERVIEW PSYCHIATRIC CENTER FOR A PERIOD NOT TO EXCEED 60 DAYS FOR THE PURPOSE OF ASCERTAINING THE MENTAL CONDITION OF TH DEFENDANT. THE DEFENDANT HAS BEEN COMMITTED TO THE CUSTODY OF THE COMM. OF DHHS BY JUSTICE MURPHY. MR. SMITH MAY BE ADMITTED ON 6/23/14 AT11:00.

07/11/2014 Charge(s): 1

HEARING - ARRAIGNMENT SCHEDULED FOR 07/15/2014 at 08:30 a.m.

07/11/2014 Charge(s): 1

HEARING - STATUS CONFERENCE NOT HELD ON 07/11/2014

07/11/2014 MOTION - MOTION TO CONTINUE FILED BY DEFENDANT ON 07/11/2014

07/16/2014 MOTION - MOTION TO CONTINUE GRANTED ON 07/15/2014

DONALD H MARDEN , JUSTICE

COPY TO PARTIES/COUNSEL

07/16/2014 Charge(s): 1

HEARING - ARRAIGNMENT CONTINUED ON 07/15/2014

DONALD H MARDEN , JUSTICE

08/01/2014 LETTER - FROM NON-PARTY FILED ON 08/01/2014

NOTICE FOR EXAMINATION ON 8/12/14 AT 1:00 PM

08/21/2014 LETTER - FROM NON-PARTY FILED ON 08/21/2014

LETTER FILED BY DR. LEBLANC REGARDING ORDER OF EVALUATION.

9/5/14 - NO

ACTION NEEDED BY COURT S/MURPHY, JUSTICE

10/18/2014 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 10/14/2014

10/18/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-INSANITY REPORT FILED ON 10/14/2014

10/18/2014 PSYCHIATRIC EXAM - COMMITMENT REPORT FILED ON 10/14/2014

11/13/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-COMPETENCY ENTERED ON 11/07/2014

M MICHAELA MURPHY , JUSTICE

12/03/2014 OTHER FILING - OTHER DOCUMENT FILED ON 12/03/2014

EXAMINATION SCHEDULED FOR 12/3/14 AT 9:30 AM

12/08/2014 PSYCHIATRIC EXAM - ORDER MENTAL EXAM-COMPETENCY REPORT FILED ON 12/05/2014

COPY TO DA AND ATTORNEY HESS

12/10/2014 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY DEFENDANT ON 12/08/2014

COPIES TO DA, ATTORNEY AMES & ATTORNEY HESS

12/17/2014 HEARING - COMPETENCY HEARING SCHEDULED FOR 01/05/2015 at 11:00 a.m.

DONALD H MARDEN , JUSTICE
NOTICE TO PARTIES/COUNSEL

12/17/2014 HEARING - COMPETENCY HEARING NOTICE SENT ON 12/17/2014

12/22/2014 LETTER - FROM PARTY FILED ON 12/22/2014

LETTER FILED BY DEF REGARDING HIS ATTY'S WITHDRAW. COPY MAILED TO ATTY'S.

01/05/2015 HEARING - COMPETENCY HEARING HELD ON 01/05/2015

DONALD H MARDEN , JUSTICE
Attorney: PAMELA AMES
DA: DEBORAH CASHMAN
Defendant Present in Court

SCOTT HESS ESQ ALSO IN COURTROOM FOR DEF.
INDEX #2218-

TAPE #2006

01/05/2015 Charge(s): 1

ORDER - FINDING INCOMPTNCE STAND TRIAL ISSUED ON 01/05/2015
DONALD H MARDEN , JUSTICE

01/05/2015 Charge(s): 1

ORDER - FINDING INCOMPTNCE STAND TRIAL ENTERED ON 01/05/2015

02/01/2015 OTHER FILING - OTHER DOCUMENT FILED ON 01/30/2015

LETTER FROM DHHS TO RIVERVIEW AUTHORIZING RIVERVIEW TO ACCEPT DEFENDANT FOR OBSERVATION,
CARE AND TREATMENT

03/11/2015 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 03/09/2015

30 DAY COMP (IST) FILED

05/04/2015 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 05/01/2015

EXAM SCHEDULED FOR 5/14/15

06/08/2015 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 06/01/2015

60 DAY COMP IST

06/23/2015 MOTION - OTHER MOTION FILED BY STATE ON 06/22/2015

DA: DEBORAH CASHMAN

MOTION FOR COURT AUTHORIZATION FOR INVOLUNTARY MEDICATION

07/14/2015 OTHER FILING - OTHER DOCUMENT FILED ON 07/13/2015

DEF'S OBJECTION TO STATES MOTION FOR COURT AUTHORIZATION FOR MEDICATION.

07/28/2015 HEARING - CONFERENCE SCHEDULED FOR 08/13/2015 at 01:00 p.m. in Room No. 3

NOTICE TO PARTIES/COUNSEL

07/28/2015 HEARING - CONFERENCE NOTICE SENT ON 07/28/2015

08/18/2015 HEARING - CONFERENCE CONTINUED ON 08/18/2015

DUE TO PERSONAL EMERGENCY OF JUSTICE.

08/18/2015 Charge(s): 1

MOTION - OTHER MOTION FILED BY STATE ON 08/17/2015

DA: DEBORAH CASHMAN

MOTION FOR COURT AUTHORIZED TREATMENT

08/18/2015 HEARING - CONFERENCE SCHEDULED FOR 09/22/2015 at 01:30 p.m. in Room No. 5

NOTICE TO PARTIES/COUNSEL

08/18/2015 HEARING - CONFERENCE NOTICE SENT ON 08/18/2015

08/26/2015 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 08/26/2015

60 DAY COMP (IST)

08/27/2015 OTHER FILING - OTHER DOCUMENT FILED ON 08/25/2015

Attorney: SCOTT HESS

DEFENDANT'S OBJECTION TO STATE'S MOTION FOR COURT AUTHORIZATION

09/14/2015 MOTION - MOTION TO CONTINUE FILED BY DEFENDANT ON 09/14/2015

Attorney: SCOTT HESS

09/14/2015 MOTION - OTHER MOTION FILED BY DEFENDANT ON 09/14/2015

DA: SCOTT HESS

MOTION FOR EXPERT WITNESS

09/17/2015 MOTION - MOTION TO CONTINUE GRANTED ON 09/17/2015

COPY TO PARTIES/COUNSEL

09/17/2015 HEARING - CONFERENCE CONTINUED ON 09/17/2015

09/17/2015 HEARING - OTHER HEARING SCHEDULED FOR 10/09/2015 at 09:00 a.m. in Room No. 2

NOTICE TO PARTIES/COUNSEL

STATE'S MOTION

FOR COURT AUTHORIZED TREATMENT

09/17/2015 HEARING - OTHER HEARING NOTICE SENT ON 09/17/2015

09/17/2015 OTHER FILING - OTHER DOCUMENT FILED ON 09/17/2015

DA: DEBORAH CASHMAN

STATE'S RESPONSE TO DEFENDANT'S REQUEST TO CONTINUE AND EXPERT REPORTS

09/21/2015 MOTION - MOTION TO CONTINUE FILED BY DEFENDANT ON 09/21/2015

Attorney: PAMELA AMES

MOTION TO CONTINUE 10/9/15 HEARING

09/29/2015 MOTION - MOTION TO CONTINUE GRANTED ON 09/22/2015

DONALD H MARDEN , JUSTICE

COPY TO PARTIES/COUNSEL

09/29/2015 HEARING - OTHER HEARING CONTINUED ON 09/22/2015

09/30/2015 HEARING - OTHER MOTION SCHEDULED FOR 11/20/2015 at 08:30 a.m. in Room No. 2

STATE'S MOTION FOR COURT AUTHORIZED TREATMENT

09/30/2015 HEARING - OTHER MOTION NOTICE SENT ON 09/30/2015

STATE'S MOTION FOR COURT AUTHORIZED TREATMENT

10/08/2015 MOTION - MOTION IN LIMINE, RULE 17 FILED BY STATE ON 10/06/2015

DA: WILLIAM STOKES

10/08/2015 HEARING - MOTION IN LIMINE, RULE 17 SCHEDULED FOR 11/02/2015 at 08:30 a.m. in Room No. 3

10/08/2015 HEARING - MOTION IN LIMINE, RULE 17 NOTICE SENT ON 10/08/2015

10/13/2015 MOTION - OTHER MOTION FILED BY STATE ON 10/13/2015

DA: DEBORAH CASHMAN

STATE'S MOTION TO ESTABLISH A DATE CERTAIN FOR HEARING

10/21/2015 MOTION - OTHER MOTION GRANTED ON 10/19/2015

DONALD H MARDEN , JUSTICE

STATE'S MOTION TO ESTABLISH A DATE CERTAIN FOR HEARING

10/29/2015 OTHER FILING - DHHS RECORD FILED BY STATE ON 10/28/2015

CONFIDENTIAL MEDICAL RECORDS SUBMITTED FOR IN CAMERA REVIEW, FILED

11/09/2015 HEARING - OTHER MOTION SCHEDULED FOR 12/02/2015 at 09:00 a.m. in Room No. 1

STATE'S MOTION FOR AUTHORIZED TREATMENT

11/09/2015 HEARING - OTHER MOTION NOTICE SENT ON 11/09/2015

STATE'S MOTION FOR AUTHORIZED TREATMENT

11/09/2015 Charge(s): 1

ORDER - COURT ORDER FILED ON 11/05/2015

DONALD H MARDEN , JUSTICE

THE HEARING MOTION FOR STATE'S REQUEST FOR AUTHORIZED TREATMENT HAS BEEN CONTINUED FROM
11/20/2015 TO 12/02/2015 @ 9AM

11/16/2015 HEARING - MOTION IN LIMINE, RULE 17 NOT HELD ON 11/02/2015

DHHS RECORDS RECEIVED

11/16/2015 HEARING - OTHER MOTION CONTINUED ON 11/16/2015

STATE'S MOTION FOR COURT AUTHORIZED TREATMENT

CONTINUED TO

12/2/15

11/17/2015 ORDER - COURT ORDER ENTERED ON 11/02/2015

PAUL A FRITZSCHE , JUSTICE

ORDER TO PRODUCE DOCUMENTARY EVIDENCE

11/19/2015 CASE STATUS - CASE FILE LOCATION ON 11/19/2015

CASE AND CONFIDENTIAL RECORDS WITH J. MARDEN

11/19/2015 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 11/19/2015

CERTIFIED COPY TO SHERIFF DEPT.

12/09/2015 HEARING - OTHER MOTION HELD ON 12/02/2015

DONALD H MARDEN , JUSTICE

Reporter: JANETTE COOK

STATE'S MOTION FOR AUTHORIZED TREATMENT

12/11/2015 LETTER - FROM PARTY FILED ON 12/07/2015

LETTER FROM DEFENDANT, COPY SENT TO PAM AMES AND SCOTT HESS

12/22/2015 OTHER FILING - OTHER DOCUMENT FILED ON 12/21/2015

DA: LARA NOMANI

STATE'S PROPOSED ORDER

CR_200

12/22/2015 NOTE - OTHER CASE NOTE ENTERED ON 12/22/2015

THE CONFIDENTIAL RECORDS SUBMITTED BY REVIEW ON 10/28/15 RETURNED TO RIVERVIEW PER JUSTICE MARDEN

01/08/2016 ORDER - COURT ORDER FILED ON 01/07/2015

DONALD H MARDEN , JUSTICE

DECISION AND ORDER ON MOTION FOR COURT AUTHORIZED TREATMENT

01/08/2016 ORDER - COURT ORDER ENTERED ON 01/07/2015

DONALD H MARDEN , JUSTICE

DECISION AND ORDER ON STATE'S MOTION FOR COURT AUTHORIZED TREATMENT

01/08/2016 Charge(s): 1

MOTION - OTHER MOTION GRANTED ON 01/07/2016

DONALD H MARDEN , JUSTICE

MOTION FOR COURT AUTHORIZED TREATMENT

01/19/2016 OTHER FILING - OTHER DOCUMENT FILED ON 01/19/2015

WEEKLY UPDATE TO THE COURT ON LEROY SMITH
MARDEN)

(SCANNED TO J.

01/27/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 01/25/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW
JUSTICE MARDEN)

(SCANNED TO

01/27/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 01/25/2016

LETTER FROM SFS STATING DEFENDANT IS SCHEDULED FOR A 60 DAY IST EVAL ON 02/04/2016 AT 10AM
02/02/2016 OTHER FILING - OTHER DOCUMENT FILED ON 02/02/2016

WEEKLY UPDATE TO COURT ON LEROY SMITH (SCANNED TO J. MARDEN)

02/09/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 02/08/2016

60 DAY FOLLOW - UP (IST)

02/10/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 02/09/2016

WEEKLY UPDATE FROM RIVERVIEW

02/19/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 02/18/2016

SCANNED AND SENT TO J. MARDEN

02/22/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 02/22/2016

LETTER FROM SFS STATING DEF IS SCHEDULED FOR A 30 DAY FOLLOW-UP (IST) EXAM ON 03/01/2016
AT 12:30PM

03/01/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/01/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW

03/11/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/10/2016

WEEKLY UPDATE ON DEFENDANT - SCANNED AND SENT TO JUSTICE MARDEN

03/16/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 03/15/2016

WEEKLY UPDATE ON DEFENDANT, SCANNED AND EMAILED TO JUSTICE MARDEN

03/17/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 03/17/2016

30 DAY FOLLOW-UP (IST)

03/23/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 03/23/2016

WEEKLY UPDATE - SCANNED AND EMAILED TO J. MARDEN

03/23/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 03/21/2016

NOTICE FROM SFS STATING DEFENDANT IS SCHEDULED FOR A 30 DAY FOLLOW-UP (IST) ON APRIL 5TH
AT 12:00PM

03/30/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 03/28/2016

WEEKLY REPORT ON DEFENDANT FROM RIVERVIEW

04/06/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 04/05/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW PSYCHIATRIC CENTER - SCANNED AND EMAILED TO
JUSTICE MARDEN

04/14/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 04/12/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW

04/19/2016 Charge(s): 1
NOTE - OTHER CASE NOTE ENTERED ON 04/19/2016

PER JUSTICE MARDEN - SCHEDULE FOR STATUS CONFERENCE ONCE MOST RECENT 30 DAY IST EVAL IS
RECEIVED FROM 04/05/16

04/27/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 04/25/2016

30 DAY FOLLOW-UP (IST)

04/27/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 04/21/2016

WEEKLY UPDATE ON DEFENDANT

04/27/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 04/22/2016

NOTICE FROM SFS STATING DEFENDANT IS SCHEDULED FOR A COMPETENCY EVAL (30 DAY FOLLOW-UP
IST) ON 05/03/16 AT 10AM

04/28/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 04/27/2016

WEEKLY UPDATE REPORT FROM RIVERVIEW

04/29/2016 Charge(s): 1
HEARING - STATUS CONFERENCE SCHEDULED FOR 05/13/2016 at 08:15 a.m. in Room No. 2

04/29/2016 Charge(s): 1
HEARING - STATUS CONFERENCE NOTICE SENT ON 04/29/2016

04/29/2016 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 04/29/2016

CERTIFIED COPY TO SHERIFF DEPT.

04/29/2016 CASE STATUS - CASE FILE RETURNED ON 04/29/2016

04/29/2016 CASE STATUS - CASE FILE LOCATION ON 04/29/2016

CASE FILE IS WITH ASSISTANT CLERK JESSICA TARR AT CJC

05/10/2016 WRIT - HABEAS CORPUS TO PROSECUTE ORDERED ON 05/02/2016
DONALD H MARDEN , JUSTICE

05/10/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 05/09/2016

30 DAY FOLLOW UP (IST)

05/12/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 05/10/2016

WEEKLEY UPDATES ON DEFENDANT FROM RIVERVIEW DATED FROM 05/02/16 AND 05/09/16

05/18/2016 Charge(s): 1
HEARING - STATUS CONFERENCE HELD ON 05/13/2016
DONALD H MARDEN , JUSTICE
Defendant Present in Court

05/18/2016 Charge(s): 1
HEARING - COMPETENCY HEARING SCHEDULED FOR 06/30/2016 at 08:30 a.m. in Room No. 3

NOTICE TO PARTIES/COUNSEL

05/18/2016 Charge(s): 1
HEARING - COMPETENCY HEARING NOTICE SENT ON 05/18/2016

05/18/2016 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 05/18/2016

CERTIFIED COPY TO SHERIFF DEPT.

05/19/2016 WRIT - HABEAS CORPUS TO PROSECUTE ORDERED ON 05/18/2016
ERIC WALKER , JUDGE

05/19/2016 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY DEFENDANT ON 05/19/2016

EXPEDITED - FOR 12/02/2015 HEARING

05/20/2016 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY DEFENDANT ON 05/18/2016

AT STATE EXPENSE - FOR HEARING ON 12/02/15

05/20/2016 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 05/20/2016
DONALD H MARDEN , JUSTICE
COPY TO PARTIES/COUNSEL

05/20/2016 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 05/20/2016
DONALD H MARDEN , JUSTICE
COPY TO PARTIES/COUNSEL

05/23/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 05/23/2016

1PM

05/26/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 05/25/2016

TWO WEEKLY UPDATES FROM RIVERVIEW

06/03/2016 LETTER - FROM PARTY FILED ON 06/01/2016

Attorney: SCOTT HESS

LETTER FROM ATTY HESS REFERENCE ARRAIGNMENT

06/03/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 06/02/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW

06/09/2016 OTHER FILING - TRANSCRIPT FILED ON 06/07/2016

12/02/15 HEARING

06/09/2016 Charge(s): 1
HEARING - ARRAIGNMENT SCHEDULED FOR 06/30/2016 at 08:30 a.m. in Room No. 3

06/09/2016 Charge(s): 1
HEARING - ARRAIGNMENT NOTICE SENT ON 06/09/2016

06/10/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 06/10/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW

06/21/2016 LETTER - FROM PARTY FILED ON 06/17/2016

Attorney: SCOTT HESS

LETTER FROM ATTY HESS REFERENCE JUNE 30TH HEARING

06/21/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 06/20/2016

WEEKLY UPDATE FROM RIVERVIEW ON DEFENDANT

06/27/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 06/27/2016

60 DAY FOLLOW UP (IST)

06/27/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 06/27/2016

WEEKLY REPORT FROM RIVERVIEW

06/30/2016 Charge(s): 1
HEARING - COMPETENCY HEARING HELD ON 06/30/2016
DONALD H MARDEN , JUSTICE
Attorney: PAMELA AMES
DA: DONALD MACOMBER
Defendant Present in Court

ATTY SCOTT HESS ALSO

06/30/2016 Charge(s): 1
HEARING - ARRAIGNMENT HELD ON 06/30/2016
DONALD H MARDEN , JUSTICE
Attorney: PAMELA AMES

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DA: DONALD MACOMBER Reporter: JANETTE COOK
Defendant Present in Court

READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO
DEFENDANT. 21 DAYS TO FILE MOTIONS

ATTY SCOTT HESS ALSO

06/30/2016 Charge(s): 1

PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 06/30/2016

07/08/2016 Charge(s): 1

PLEA - NOT CRIMINALLY RESPONSIBLE ENTERED BY AUTHORITY ON 06/30/2016

DONALD H MARDEN , JUSTICE

BY THE COURT AFTER DEFENDANT ENTERED A PLEA OF NOT GUILTY

07/08/2016 ORDER - COURT ORDER ENTERED ON 06/30/2016

DONALD H MARDEN , JUSTICE

AFTER HEARING ON THE RECORD W/O OBJECTION ORDER (ORDER DATED 1/5/16) EXTENDED FOR 6
MONTHS.

**07/25/16 CORRECTIONS -

"OVER OBJECTION OF BY THE DEFENDANT"***

07/08/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 07/08/2016

Attorney: SCOTT HESS

REQUESTING TELEPHONIC CONFERENCE TO DISCUSS FUTURE SCHEDULING

07/11/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 07/08/2016

WEEKLY UPDATE REPORTS FROM RIVERVIEW (06/30/16 & 07/08/16)

07/14/2016 Charge(s): 1

ORDER - COURT ORDER ENTERED ON 07/08/2016

DONALD H MARDEN , JUSTICE

RESPONSE FROM ATTY HESS'S REQUEST FOR TELEPHONIC CONFERENCE: COUNSEL TO CONFER AND PRESENT
A PROPOSED AGREED SCHEDULING ORDER; IF UNABLE TO AGREE CLERK TO SCHEDULED 8AM HEARING

07/20/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 07/20/2016

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 60 DAY FOLLOW UP (IST) ON 08/01/16 AT
12:30PM

07/26/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 07/26/2016

WEEKLY UPDATE ON DEF FROM RIVERVIEW

08/11/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 08/09/2016

TWO WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW, DATED 08/03/16 AND 07/26/16

08/18/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 08/17/2016

WEEKLY UPDATE FROM RIVERVIEW

08/24/2016 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 08/24/2016

NOTICE FROM SFS STATING DEFENDANT IS SCHEDULED FOR A 60 DAY FOLLOW-UP (IST) ON 09/06/16

08/29/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 08/25/2016

WEEKLY UPDATE X 2
09/14/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 09/12/2016

60 DAY FOLLOW-UP (IST)
09/14/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 09/12/2016

WEEKLY UPDATE ON DEFENDANT - 08/31/16
09/16/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 09/15/2016

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 60 DAY FOLLOW UP IST ON 10/04/16
09/21/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 09/19/2016

WEEKLY UPDATE ON DEFENDANT FROM RIVERVIEW
09/27/2016 Charge(s): 1
NOTE - OTHER CASE NOTE ENTERED ON 09/27/2016

JUSTICE MURPHY REVIEWED THE TWO PENDING 60 DAY (IST) EVALS RECEIVED: 08/19/16 & 09/12/16,
AND HAVE BEEN SENT TO ALL ATTORNEYS
10/04/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 09/29/2016

WEEKLY REPORTS FROM RIVERVIEW DATES OF SERVICE: 09/22/16, 09/28/16
10/12/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 10/11/2016

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 60 DAY FOLLOW UP (IST) ON 10/27/16
10/25/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 10/24/2016

60 DAY FOLLOW UP (IST)
11/07/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 11/04/2016

WEEKLY REPORTS ON DEF DATED: 11/03/16, 10/28/16, 10/21/16, 10/14/16
EMAILED TO JUSTICE MARDEN
11/08/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 11/07/2016

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 60 DAY (IST) ON 11/17/16
11/18/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 11/18/2016

60 DAY
12/02/2016 Charge(s): 1
MOTION - OTHER MOTION FILED BY DEFENDANT ON 12/02/2016

Attorney: SCOTT HESS
MOTION TO COMP HEARING - COPY SCANNED AND EMAILED TO JUSTICE MARDEN
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12/09/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 12/05/2016

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR AN EVAL ON 12/15/16

12/13/2016 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 12/13/2016

WEEKLY REPORTS DATED: 11/10/16, 11/15/16, 11/21/16, 11/30/16, 12/08/16 (SCANNED AND EMAILED TO JUSTICE MARDEN)

12/15/2016 Charge(s): 1
HEARING - COMPETENCY HEARING SCHEDULED FOR 01/20/2017 at 08:30 a.m. in Room No. 2

NOTICE TO PARTIES/COUNSEL

12/15/2016 Charge(s): 1
HEARING - COMPETENCY HEARING NOTICE SENT ON 12/15/2016

CORRECTED NOTICE OF 2017 SENTENCE

12/16/2016 ORDER - SPECIAL ASSIGNMENT ENTERED ON 12/15/2016
ROLAND A COLE , JUSTICE
JUSTICE MURPHY HAS NOW BEEN REASSIGNED

12/16/2016 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 12/16/2016

CERTIFIED COPY TO SHERIFF DEPT.

12/21/2016 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 12/19/2016

60 DAY FOLLOW UP IST

01/04/2017 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 01/03/2017

MEDICATION OF INCOMPETENT DEFENDANT (FILING FROM DHHS)

01/04/2017 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 01/03/2017

60 DAY (IST)

01/10/2017 MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY DEFENDANT ON 01/09/2017

Attorney: SCOTT HESS
DEFENDANT'S MOTION FOR EXPEDITED TRANSCRIPT AND AT STATE'S EXPENSE

01/11/2017 MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 01/11/2017
ROBERT E MULLEN , JUSTICE
COPY TO PARTIES/COUNSEL
OTO AND JANET COOK

01/11/2017 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 01/09/2017

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 30 DAY FOLLOW UP IST EVAL ON 01/12/17

01/18/2017 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 01/17/2017

01/19/2017 OTHER FILING - TRANSCRIPT FILED ON 01/19/2017

FOR HEARING DATED 06/30/2016

01/19/2017 Charge(s): 1
OTHER FILING - OTHER DOCUMENT FILED ON 01/19/2017

COPY SCANNED TO

MEDIA REQUEST FORM - KJ
JUSTICE MURPHY, 1/19/17**

01/19/2017 OTHER FILING - OTHER DOCUMENT FILED ON 01/19/2017

Attorney: SCOTT HESS
MEMORANDUM REGARDING COMPETENCY TO PROCEED

01/23/2017 Charge(s): 1

HEARING - COMPETENCY HEARING HELD ON 01/20/2017

M MICHAELA MURPHY , JUSTICE

Attorney: SCOTT HESS

DA: DONALD MACOMBER

Reporter: TAMMY DROUIN

Defendant Present in Court

& PAM AMES; HEARING TO REMAIN OPEN, AWAITING FOR TESTIMONY FROM DOCTOR VOSS, TO BE
SCHEDULED

01/27/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 01/26/2017

WEEKLY REPORTS JANUARY 12TH AND 19TH

01/27/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 01/23/2017

WEEKLY REPORT DATED 12/28/16

01/27/2017 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 01/26/2017

30 DAY FOLLOW UP (IST)

01/27/2017 LETTER - FROM NON-PARTY FILED ON 01/27/2017

LETTER FROM MOLLY MOYNIHAN RE: DEF AND RELATIONSHIP WITH RIVERVIEW IF CHARGES AGAINST DEF
ARE DISMISSED

01/27/2017 Charge(s): 1

MOTION - OTHER MOTION FILED BY STATE ON 01/25/2017

DA: DONALD MACOMBER

MOTION TO EXTEND INVOLUNTARY MEDICATION ORDER INDEFINITELY - OPPOSED BY DEF

01/27/2017 Charge(s): 1

MOTION - OTHER MOTION GRANTED ON 01/26/2017

M MICHAELA MURPHY , JUSTICE

MOTION TO EXTEND INVOLUNTARY MEDICATION ORDER INDEFINITELY - OPPOSED BY DEF

**FOR REASON STATE AT STATUS

CONFERE, OVER OBJECTION BY DEFENDANT, JUSTICE MARDEN'S ORDER FOR INVOLUNTARY MEDICATION
SHALL CONTINUE UNTIL FURTHER ORDER OF COURT**

01/27/2017 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 01/27/2017

CERTIFIED COPY TO SHERIFF DEPT.

01/27/2017 Charge(s): 1

HEARING - COMPETENCY HEARING SCHEDULED FOR 02/14/2017 at 01:00 p.m. in Room No. 4

NOTICE TO PARTIES/COUNSEL

01/27/2017 Charge(s): 1

HEARING - COMPETENCY HEARING NOTICE SENT ON 01/27/2017

02/08/2017 Charge(s): 1

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OTHER FILING - OTHER DOCUMENT FILED ON 02/06/2017

NOTICE FROM SFS STATING DEF IS SCHEDULED FOR A 1ST FOLLOW UP EVAL ON 02/16/17

02/14/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 02/10/2017

WEEKLY REPORTS (2)

02/15/2017 Charge(s): 1

HEARING - COMPETENCY HEARING HELD ON 02/14/2017

M MICHAELA MURPHY , JUSTICE

Attorney: PAMELA AMES

DA: DONALD MACOMBER

Defendant Present in Court

AND DEF ATTY SCOTT HESS;

02/21/2017 Charge(s): 1

MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY DEFENDANT ON 02/17/2017

AT STATE'S EXPENSE FOR HEARINGS ON 1/20/17 AND 2/14/17

02/23/2017 HEARING - CONFERENCE SCHEDULED FOR 03/06/2017 at 09:00 a.m. in Room No. 2

WILLIAM R ANDERSON , JUSTICE

JUDICIAL SETTLEMENT CONFERENCE

PARTIES

NOTICE TO

02/23/2017 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 02/23/2017

CERTIFIED COPY TO SHERIFF DEPT.

02/24/2017 Charge(s): 1

MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 02/24/2017

COPY TO PARTIES/COUNSEL

SENT TO OIT AND

OCR DROUIN

02/28/2017 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 02/27/2017

30 DAY IST

02/28/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 02/27/2017

NOTICE FROM SFS STATING DEF SCH FOR A 30 DAY IST EVAL ON 03/16/17

03/01/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/01/2017

WEEKLY REPORT 2/16 & 2/23

03/08/2017 HEARING - CONFERENCE HELD ON 03/06/2017

DONALD G ALEXANDER , ASSOCIATE JUSTICE

03/08/2017 Charge(s): 1

MOTION - MOTION TO PREPARE TRANSCRIPT FILED BY DEFENDANT ON 03/08/2017

03/13/2017 Charge(s): 1

MOTION - MOTION TO PREPARE TRANSCRIPT GRANTED ON 03/10/2017

M MICHAELA MURPHY , JUSTICE

COPY TO PARTIES/COUNSEL

03/13/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/13/2017

CR_200

Page 15 of 17

Printed on: 05/02/2017

WEEKLY REPORT (3/2/17)

03/17/2017 Charge(s): 1

HEARING - STATUS CONFERENCE SCHEDULED FOR 03/21/2017 at 08:30 a.m. in Room No. 3

03/17/2017 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 03/17/2017

CERTIFIED COPY TO SHERIFF DEPT.

03/17/2017 Charge(s): 1

HEARING - STATUS CONFERENCE NOTICE SENT ON 03/17/2017

03/21/2017 Charge(s): 1

HEARING - STATUS CONFERENCE HELD ON 03/21/2017

M MICHAELA MURPHY , JUSTICE

Attorney: SCOTT HESS

DA: DONALD MACOMBER

Reporter: TAMMY DROUIN

ATTY PAM AMES NOT PRESENT

03/21/2017 OTHER FILING - TRANSCRIPT FILED ON 03/21/2017

COMPETENCY HEARING 2/14/17

03/27/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/27/2017

DA: DONALD MACOMBER

STATE'S MEMORANDUM REGARDING COMPETENCE

03/27/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/27/2017

WEEKLY REPORT - 03/07/17 & 3/17/17

04/03/2017 OTHER FILING - OTHER DOCUMENT FILED ON 04/03/2017

Attorney: SCOTT HESS

DEPT'S REPLY TO STATE'S MEMORANDUM REGARDING COMPETENCE

SCANNED TO J. MURPHY

04/05/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 03/31/2017

COPY OF LETTER FROM ATTY HESS TO DOCTOR DOUGLASS RE: DVD FROM HEARING

04/05/2017 LETTER - FROM PARTY FILED ON 04/03/2017

Attorney: SCOTT HESS

COPY OF CORRESPONDENCE THAT WAS MAILED TO DR. DOUGLASS REGARDING DVD

04/05/2017 PSYCHIATRIC EXAM - COMPETENCY EVALUATION REPORT FILED ON 04/03/2017

30 DAY FOLLOW UP (IST)

04/07/2017 OTHER FILING - TRANSCRIPT FILED ON 04/07/2017

SEALED/IMPOUNDED JUDICIAL SETTLEMENT CONFERENCE 3/6/17

04/07/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 04/07/2017

NOTICE FROM SFS STATING DEFENDANT IS SCHEDULED FOR A 30 DAY FOLLOW UP (IST) ON 4/17/17

04/19/2017 HEARING - CONFERENCE SCHEDULED FOR 04/24/2017 at 08:15 a.m.

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NOTICE TO PARTIES/COUNSEL

04/19/2017 WRIT - HABEAS CORPUS TO PROSECUTE ISSUED ON 04/19/2017

CERTIFIED COPY TO SHERIFF DEPT.

04/25/2017 Charge(s): 1

OTHER FILING - OTHER DOCUMENT FILED ON 04/25/2017

WEEKLY REPORTS DATED 3/27 & 4/2

05/02/2017 HEARING - CONFERENCE HELD ON 04/24/2017

05/02/2017 ORDER - COURT ORDER ENTERED ON 05/02/2017

M MICHAELA MURPHY , JUSTICE

ORDER OF DEFENDANT'S COMPETENCE TO STAND TRIAL

A TRUE COPY

ATTEST:

Clerk