King County District Court
West Division

STATE OF WASHINGTON,	)	
	)	
Plaintiff,	)	No.
	)	
vs.	)	
	)	ORDER RETRACTING
_____,	)	COMPETENCY EVALUATION
	)	
Defendant.	)	
	)	
	)	
	)	

1. **PROCEDURAL BACKGROUND.** This Court has previously issued an order entitled Order for Initial Evaluation for Competency Evaluation. Among other things, the Order directed Western State Hospital to evaluate the Defendant and render an opinion as to the Defendant's competency to proceed in this matter. The Court has received information that leads the Court to retract the Order as set more fully herein.

2. **INFORMATION REGARDING THE DEFENDANT.** The Court has received information concerning the Defendant as marked below:

_____ 2.1. Based on intervening events, defense counsel has communicated to the Court its belief that the Defendant is competent to proceed in this matter. The Court, having heard from defense counsel and the State, finds that there is no longer any reason to doubt the Defendant's competency to proceed in this matter. The Court will enter a separate order finding the Defendant competent.

_____ 2.2. While out of custody, the Defendant was directed to appear at a hearing in this matter. The Defendant was provided with notice of that hearing as required by law, but failed to appear at the hearing. This Court issued a bench warrant for the Defendant's arrest. The Defendant remains at large at the present time.

_____ 2.3. Other: _____

_____

3. **ORDER FOR EVALUATION RETRACTED.** Based on the findings in section 2, the Court finds that it is appropriate at this time to retract the Order, and the Court hereby does retract the Order. Upon receipt of this order, Western State Hospital is relieved of its duties and obligations under the Order. If the Court determines in the future that there is reason to question the Defendant's competency to proceed, the Court will issue a new order for a competency evaluation.

DONE IN OPEN COURT this _____ day of _____ , _____ .

_____
JUDGE

Presented by:

_____

Deputy Prosecuting Attorney, WSBA #_____

_____

Attorney for Defendant, WSBA #_____