**27-6A-3(i); 27-6A-5**

**Order discharging patient from**

**Inpatient facility to less restrictive**

**Environment**

**IN THE CIRCUIT COURT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, WEST VIRGINIA**

**State of West Virginia,**

**v. Case No.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,**

 **Defendant.**

**DISCHARGE ORDER**

 On the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, came the State of West Virginia, by and through its counsel, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Assistant Prosecuting Attorney, and the defendant, by and through his/her counsel, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to consider the proposed Community Placement and Treatment Plan prepared by the mental health facility, as well as the Independent Forensic Evaluation of the defendant by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 Having reviewed the Community Placement and Treatment Plan and Independent Forensic Evaluation of the Defendant and heard the arguments of Counsel and any evidence presented, this Court **FINDS** that it is appropriate to discharge the patient from the mental health facility to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to a less restrictive environment.

 It is **ORDERED** that the Sheriff transport the Defendant from mental health facility to the less restrictive environment.

 It is further **ORDERED** that the Defendant shall adhere to all of the conditions set forth in his/her Community Placement and Treatment Plan dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. If the Defendant does not adhere to these conditions, the Court may reorder the Defendant back to the mental health facility.

 The Court retains jurisdiction over this case until the maximum term of the crime(s) for which the Defendant was indicted, or until further Order of this Court.

 The Court **ORDERS** the Clerk of this Court to forward copies of this Order to the parties in this matter as well as to the State Forensic Coordinator, William R. Sharpe, Jr. Hospital 936 Sharpe Hospital Road Weston, WV 26452-8550.

Entered this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_, 20\_\_\_.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Judge

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Assistant Prosecuting Attorney

Address

Telephone and Fax

State Bar ID#

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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