**27-6A-3(f) and (l)**

**Hearing upon competency**

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

**State of West Virginia,**

**v. Case No.**

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

**Defendant.**

**NOTICE OF HEARING ON COMPETENCY**

On the \_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_, the Court found Defendant to be not competent to stand trial but there was a substantial likelihood that the Defendant would obtain competency. The Defendant was committed to mental health facility. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, the Court was notified by the Chief Medical Officer of mental health facility that the Defendant had attained competency.

The Court hereby gives notice that a hearing on the Defendant’s competency to stand trial will be held on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_,

The Court ORDERS that if Defendant remains at mental health facility,

he/she be transported to Regional Jail or other appropriate location forthwith pending the competency hearing.

The Court ORDERS the Clerk of this Court to forward copies of this Order to the attorneys of record in this matter. Statewide Forensic Coordinator, William R. Sharpe, Jr. Hospital936 Sharpe Hospital Road Weston, WV 26452-8550.

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

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

Judge

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

Assistant Prosecuting Attorney

Address

Telephone and Fax

Bar ID #

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

Counsel for Defendant

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