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

**Court granting extension**

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

**State of West Virginia,**

**v. Case No.**

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

**Defendant.**

**COURT’S ORDER GRANTING EXTENSION OF PERIOD TO ATTAIN COMPETENCY**

On the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, this Court found that the Defendant was not competent to stand trial but was substantially likely to attain competency. The Defendant was committed to mental health facility for a period of up to three months, or until , 20 , to attempt to allow defendant to attain competency.

On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, the Chief Medical Officer at the mental health facility reported that additional time was needed to attempt to attain Defendant’s competency to stand trial.

Based upon this report, the Court finds that an additional period of up to nine months from the date the defendant entered the facility is required for the Defendant to attain competency to stand trial. The Court orders that the period for which Defendant is committed or placed at mental health facility be extended until \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_(9 months from date of admission).

The Court further **ORDERS** that a forensic evaluation of competency to stand trial shall be conducted by a Qualified Forensic Evaluator and a report rendered to the Court every three months until the Court determines that the Defendant is competent to stand trial for or not competent to stand trial and not likely to regain competency.

The Court **ORDERS** the Clerk of this Court to forward copies of this Order to the attorneys of record and the Statewide Forensic Coordinator in this matter. 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 #

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

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