

IN THE CIRCUIT COURT OF _____ COUNTY, WEST VIRGINIA

State of West Virginia,

v.

Case No.

Defendant.

ORDER DIRECTING RETURN TO INPATIENT MENTAL HEALTH FACILITY

On _____, 20____, _____ (he/she), who is _____ (Relationship to the Acquittee or official at the mental health facility where he/she resides) gave notice that the Acquittee was not continuing his/her treatment or that the Acquittee was incompliant with his/her conditional release plan and as a result is now a danger to him/herself and others.

Based upon such notice and the hearing held in accordance with W.Va. Code §27-6A-5(h) and (i) on an expedited basis, the Court has reasonable cause to find and hereby FINDS that the Acquittee has violated the terms of his/her conditional release plan, conditional discharge, or other terms of his/her conditional placement and that the Acquittee shall be returned to William R. Sharpe, Jr. Hospital or other inpatient facility designated by WVDHHR.

The Court orders that the Sheriff of _____ County shall transport the Acquittee to William R. Sharpe, Jr. Hospital.

The Court further Orders that the prosecuting attorney file a motion for the Court to reconsider the Acquittee's release and reorder the Acquittee to a mental health facility which is the least restrictive setting appropriate to manage the Acquittee and protect the public, revoking the Acquittee's conditional release.

The Clerk of the Court shall send certified copies of this Order to all parties of record.

Entered this _____ day of _____, 20____.

Judge

Assistant Prosecuting Attorney
Address
Telephone and Fax
Bar ID #

Counsel for Defendant
Address
Telephone and Fax
Bar ID #