

1 DEBRA W. YANG
United States Attorney
2 JACQUELINE CHOOLJIAN
Assistant United States Attorney
3 Chief, Criminal Division
ELENA J. DUARTE (CA Bar No. 168817)
4 Assistant United States Attorney
1500 United States Courthouse
5 312 North Spring Street
Los Angeles, California 90012
6 Telephone: (213) 894-8611
Facsimile: (213) 894-8601

7 Attorneys for Plaintiff
8 United States of America

PLACED IN FILE
NOT USED
DATE: JAN 17 2003

9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)

CR No. 02-350(A)-AHM

12 Plaintiff,)

MOTION TO DETERMINE COMPETENCY
OF DEFENDANT AND REQUEST FOR
13 PSYCHIATRIC EXAMINATION AND
14 REPORT PURSUANT TO 18 U.S.C. §§
4241(a)&(b); [PROPOSED] ORDER

15 v.)

16 STEVEN WILLIAM SUTCLIFFE,)

17 Defendant.)

Date: January 17, 2003

Time: 11:00 a.m.

~~Honorable~~ A. Howard Matz

18 Plaintiff United States of America, through its attorney of
19 record, Assistant United States Attorney Elena J. Duarte, hereby
20 respectfully moves for a hearing to determine the competency of
21 defendant to stand trial, pursuant to 18 U.S.C. § 4241(a), and asks
22 for a psychiatric evaluation and report of defendant's competency to
23 stand trial, pursuant to 18 U.S.C. §§ 4241(b) and 4247(b)&(c).

24 This motion is based on the Court's conclusion, after exploring
25 certain issues with defendant and his then-counsel of record,
26 William Harris, out of the presence of the government, that
27 circumstances warranted that defendant be evaluated in order to
28 determine defendant's competency to stand trial.

JAN 21 2003