

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

8 Attorneys for Plaintiff  
United States of America  
9

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA, )  
13 )  
14 Plaintiff, )  
15 v. )  
16 STEVEN WILLIAM SUTCLIFFE, )  
17 Defendant. )

CR No. 02-350(A)-AHM

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

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.

PLACED IN FILE  
**NOT USED**

DATE: JAN 17 2003 *HW*

JAN 21 2003