

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY,
FLORIDA.

STATE OF FLORIDA

SPN:

vs.

Case No.(s):

Division:

Defendant

ORDER OF REVOCATION OF CONDITIONAL RELEASE
AND
COMMITMENT TO DEPARTMENT OF CHILDREN AND FAMILIES

THIS CAUSE having come to be heard subsequent to the Defendant having been afforded a hearing, pursuant to s. 916.17(2), Fla. Stat., in relation to his/her conditional release to determine if the Defendant has failed to comply with the conditions of release, or that the Defendant's condition has deteriorated to the point that inpatient care is required and if so, whether the Defendant currently meets the criteria for commitment to the Department of Children and Families; and the Court having appointed _____ to examine the Defendant and report to the Court on whether the defendant meets the criteria for commitment to the Department of Children and Families as provided in:

_____ s. 916.13(1), Fla. Stat., (incompetent to proceed) or,

_____ s. 916.15(1), Fla. Stat., (not guilty by reason of insanity),
and the court having received,

_____ the written reports,

_____ the oral testimony,

_____ both written reports and oral testimony of the above-named experts and others in relation to the issue of whether the Defendant has failed to comply with the conditions of release or whether the Defendant meets the criteria for commitment; the court hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACTS

1. The Defendant has been non-compliant with the conditions of her release.
2. The Defendant suffers from a mental illness; was previously adjudicated as incompetent to proceed and has failed to comply with the terms of his/her conditional release.

CONCLUSIONS OF LAW

A. The Defendant has failed to comply with the conditions of release set out in s. 916.17, Fla. Stat., or in prior orders of this Court.

B. The Defendant's condition has deteriorated to the point where the Defendant now meets the criteria for commitment to a treatment facility of the Department of Children and Families where inpatient care is required as provided in:

_____ s. 916.13(1), Fla. Stat., and Rule 3.212, Fla. R. Crim. P., (incompetent to proceed) or,
_____ s. 916.15(1), Fla. Stat., and Rule 3.218, Fla. R. Crim. P., (not guilty by reason of insanity).

Based upon the FINDINGS OF FACTS and CONCLUSIONS OF LAW, it is ORDERED AND ADJUDGED that:

1. The Defendant's previous conditional release order is hereby revoked.
2. The Defendant is hereby committed to the Department of Children and Families to be placed in a mental health treatment facility.

3. The Clerk of the Court is directed to forthwith forward a certified copy of this Order along with copies of any written reports submitted to this Court by experts appointed by the Court relating to the issues of the need of the defendant's commitment; copies of any other psychiatric, psychological or social work reports submitted to the court relative to the mental state of the defendant; and a copy of the charging instrument and all supporting affidavits or other documents used in the determination of probable cause to:

Forensic Program Coordinator
Department of Children and Families
Mental Health Program Office
1317 Winewood Boulevard
Tallahassee, FL 32399-0700

4. Upon notification of an admissions date by the Department of Children and Families, the Sheriff of Leon County shall, on the date specified, forthwith transport and deliver the Defendant to the treatment facility designated by the Department, together with a certified copy of this Order and the other documentation outlined in paragraph 3. above.

5. The Department, through the Administrator of the facility to which the Defendant is admitted, shall report directly to this Court, with copies to the attorneys for the State and the Defense on the issue of the need for continued commitment as provided in

_____ s. 916.13(1), Fla. Stat., and Rule 3.212, Fla. R. Crim. P., (incompetent to proceed)

or,

_____ s. 916.15(1), Fla. Stat., and Rule 3.218, Fla. R. Crim. P., (not guilty by reason of insanity).

6. In the event the Defendant's presence is required at any hearings in this cause, this Court shall issue an Order to Transport, directing the Sheriff of Leon County, or his designee, to resume custody of and transport the Defendant back to the jurisdiction of this Court.

7. This Court retains jurisdiction in this cause, pursuant to s. 916.16, Fla. Stat., and the Defendant shall not be discharged or released from commitment to the Department of Children and Families without further Order of this Court.

DONE AND ORDERED at _____, _____
County, Florida, this _____ day of _____, 20____.

CIRCUIT JUDGE

Copies furnished to:
Office of the State Attorney:

Defense Attorney:

Kendra Brown: MHC, Court Administration, Room 201 G

Beth Mueller: DCF District2, 2383 Phillips Rd, Tallahassee, Fl 32308

Alfred Solomon: Forensic Supervisor, Apalachee Center Inc., 2634 Capital Circle NE,
Tallahassee, Fl. 32308

LCSO Baliff Unit (3 certified copies of the order, evaluations, and charging documents)