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**IN THE _____ COURT OF THE FIFTH CIRCUIT
STATE OF HAWAII**

STATE OF HAWAII,

vs.

Defendant.

) **CR. No.** _____
) **FC-CR.** _____
) **REP. NO(S):** _____
) _____
) _____
) **ORDER ON THE CONTINUED HEARING**
) **FOR TEMPORARY HOSPITALIZATION**
) **AND ORDER FOR TRANSPORT**
) _____
) **Hearing Date:** _____
) **Judge:** _____
) _____

**ORDER ON THE CONTINUED HEARING FOR TEMPORARY
HOSPITALIZATION AND ORDER FOR TRANSPORT**

The matter of Defendant's hospitalization pursuant to an Order of Temporary Hospitalization came on for hearing before this Court on _____. Deputy Prosecuting Attorney _____, representing the State of Hawaii, and Defendant's counsel, _____, were present. Defendant [] was physically present [] appeared via video-conferencing.

The parties have stipulated to continue the instant hearing on the Defendant's hospitalization until _____ at _____ .m., in the above-entitled Court.

The Defendant has been advised by the Court and counsel of the following rights relating to the time when a hearing on the Order for Temporary Hospitalization must be held.

1. The Defendant cannot remain hospitalized pursuant to the initial Order of Temporary Hospitalization beyond seventy-two (72) hours unless an evidentiary hearing has been held by this Court;
2. At such hearing, this Court, after hearing and considering evidence, will determine whether Defendant has fulfilled the terms and conditions of Defendant's ☐ Conditional Release
☐ Release on Conditions
or whether, for the safety of Defendant or others, the terms and conditions of Defendant's ☐ Conditional Release
☐ Release on Conditions
should be revoked; and
3. This Court may forthwith modify the terms and conditions of Defendant's ☐ Conditional Release
☐ Release on Conditions
or commit Defendant to the custody of the Director of Health if this Court determines that such terms and conditions have not been fulfilled or that, for the safety of Defendant or others, revocation is appropriate.

This Court finds that the Defendant has understood the rights relating to a hearing within seventy-two (72) hours of hospitalization, has made a knowing and voluntary waiver of such a hearing within seventy-two (72) hours, and has consented to continue the hearing for _____ days (not to exceed ninety (90) days).

Therefore, IT IS HEREBY ORDERED:

1. The hearing on the Order of Temporary Hospitalization shall be continued until _____ at _____ .m.
2. The Defendant is ordered to appear at the continued hearing on _____ at _____ .m.
3. The Defendant shall remain hospitalized at a facility deemed appropriate by the Director of Health.
4. Representatives of the Department of Law Enforcement, Sheriff's Division shall transport the Defendant from the _____ to this Court for a further hearing on _____ at _____ .m., and shall remain with the Defendant until the conclusion of the hearing, at which time Defendant may

or may not be transported back to the facility deemed appropriate by the Director of Health ("DOH Facility").

- 5. In the event that Defendant's treating physician determines that transport to the next hearing would present a risk of danger to Defendant or to others, or if the Defendant chooses to waive his/her physical presence at the hearing, Defendant's presence at the hearing may be by way of Video-Conferencing.
- 6. The representatives of the Department of Law Enforcement, Sheriff's Division shall transport the Defendant from the DOH Facility to this Court, and back to said facility, for any further hearings as ordered by this Court.

DATED: _____, Hawaii, _____.

Judge

APPROVED AS TO FORM on _____:

Deputy Prosecuting Attorney

Defense Counsel