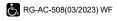
Prosecutor **Defense Counsel** AMHD/Courts & Corrections [fax: (808) 832-1855] Sheriff Div. [Hilo fax: (808) 933-8836; Kona fax: (808) 322-8788] [Hilo fax: (808) 961-7676; Kona fax: (808) 443-2188] Probation HISC [Hilo fax: (808) 933-8826; Kona fax: (808) 323-4571] HCCC AMHD, UM [fax: (808) 933-0447] [fax: (808) 453-6995] Fiscal IN THE _____ COURT OF THE THIRD CIRCUIT DIVISION STATE OF HAWAI'I STATE OF HAWAI'I CASE NO. _____ ORDER FINDING DEFENDANT FIT TO PROCEED AFTER FITNESS VS. **EXAMINATION PURSUANT TO HRS CHAPTER 704 AND RESUMING PROCEEDINGS** Defendant. [§704-405] **Hearing Date** Date: _____ Time: _____ Next Hearing Date: _____ Time: _____ JUDGE: PURSUANT TO HRS CHAPTER 704 AND RESUMING PROCEEDINGS

ORDER FINDING DEFENDANT FIT TO PROCEED AFTER FITNESS EXAMINATION

ırsuant to Section 704-404,					
on					
atm. with Defendant □ physically present □ present by video.					
, and the State of Hawaiʻi,					
, were					



	☐ The Court, having reviewed the report(s) of Defendant's appointed examiner(s), and noting that neither the State nor Defendant's counsel contests the findings and contents of the report(s), finds by a preponderance of the evidence that Defendant is fit to proceed.						
	OR						
	☐ The Court, having reviewed the report(s) of Defendant's appointed examiner(s), and having held a hearing pursuant to HRS Section 704-405, considered the evidence presented, adjudged the credibility of the witness(es) testifying at the hearing, and having considered the arguments of counsel, finds by a preponderance of the evidence that Defendant is fit to proceed.						
IT IS THEREFORE HEREBY ORDERED that the proceedings in this case are resumed and Defendant is ordered to appear in this Court on							
at (type of proceeding).							
	DATED:						
	JUDGE OF THE ABOVE-ENTITLED COUR						
APPROVED AS TO FORM on:							
Deput	y Pros	ecuting Attorney	-		Defense Counsel		
Print N	Name		-		Print Name		

[Check ONE box below]



If you need an accommodation for a disability when participating in a court program, service, or activity, please contact the ADA Coordinator as far in advance as possible to allow time to provide an accommodation. Call the ADA Coordinator at 808-961-7629, Fax 808-961-7577 or send an e-mail to adarequest@courts.hawaii.gov. The ADA Coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.