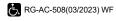
Prosecutor **Defense Counsel** AMHD/Courts & Corrections [fax: (808) 832-1855] [Hilo fax: (808) 933-8836; Kona fax: (808) 322-8788] Sheriff Div. Probation [Hilo fax: (808) 961-7676; Kona fax: (808) 443-2188] HISC [Hilo fax: (808) 933-8826; Kona fax: (808) 323-4571] HCCC AMHD, UM [fax: (808) 933-0447] [fax: (808) 453-6995] Fiscal IN THE _____ COURT OF THE THIRD CIRCUIT DIVISION STATE OF HAWAI'I STATE OF HAWAI'I CASE NO. ORDER OF DISMISSAL AND RELEASE OF COMMITTED DEFENDANT FROM THE VS. CUSTODY OF THE DIRECTOR OF **HEALTH** [§§704-406(1)(b); 704-406(7)] Defendant. [Non-Violent Misdemeanor -120 Day Timeout] Hearing Date Date: _____ Time: JUDGE: ORDER OF DISMISSAL AND RELEASE OF COMMITTED DEFENDANT FROM THE CUSTODY OF THE DIRECTOR OF HEALTH The matter of Defendant's review for dismissal and release from the custody of the Director of Health pursuant to Sections 704-406(1)(b) and (7), Hawai'i Revised Statutes ("HRS"), came on for hearing on _____ at .m. with Defendant □ physically present □ present by video.

The Court, having reviewed the record and file in this case, finds as follows:

represented by Deputy Prosecuting Attorney, _____, were

Defendant's counsel, _____, and the State of Hawai'i,



also present.

- 1. The Defendant was previously found unfit to proceed in this case and remains unfit to proceed at the present time;
- 2. The Defendant is charged with misdemeanor(s) not involving violence or attempted violence;
- 3. The Defendant has remained committed to the custody of the Director of Health for a period of <u>120 days</u>;
 - 4. The Defendant is <u>not</u> subject to prosecution for other charges; and
- 5. The Defendant is <u>not</u> subject to HRS Section 334-60.2 regarding involuntary hospitalization criteria.

IT IS THEREFORE HEREBY ORDERED that:

- 1. The misdemeanor charge(s) for which the Defendant has been committed to the custody of the Director of Health in the above-captioned matter are hereby DISMISSED; and
- 2. The Defendant shall be release from the custody of the Director of Health forthwith.

DATED:	, Hawaiʻi,
	JUDGE OF THE ABOVE-ENTITLED COURT
APPROVED AS TO FORM on	:
Deputy Prosecuting Attorney	Defense Counsel
Print Name	Print Name



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.