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 AMHD, UM [fax: (808) 453-6995]
 Fiscal

IN THE _____ COURT OF THE THIRD CIRCUIT
 _____ DIVISION
 STATE OF HAWAI'I

STATE OF HAWAI'I

vs.

_____ ,

Defendant.

CASE NO. _____

**ORDER OF DISMISSAL AND
 COMMITMENT TO THE CUSTODY OF
 THE DIRECTOR OF HEALTH FOR
COMMITTED DEFENDANT SUBJECT TO
 PROSECUTION FOR OTHER CHARGES
 AND/OR INVOLUNTARY
 HOSPITALIZATION**

[§§704-406(1)(b); 704-406(7)]

**[Non-Violent Misdemeanor –
 120 Day Timeout]**

Hearing Date

Date: _____

Time: _____

JUDGE: _____

**ORDER OF DISMISSAL AND COMMITMENT TO THE CUSTODY OF THE
 DIRECTOR OF HEALTH FOR COMMITTED DEFENDANT SUBJECT TO
 PROSECUTION FOR OTHER CHARGES AND/OR INVOLUNTARY
 HOSPITALIZATION**

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.

Defendant's counsel, _____, and the State of Hawai'i, represented by Deputy Prosecuting Attorney, _____, were also present.

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

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 120 days;
4. The Defendant is:
[Choose ONE of the following]
 - Subject to prosecution for other charges.

OR

 - 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 committed to the custody of the Director of Health forthwith to be placed in an appropriate institution for detention, care, and treatment pursuant to HRS Section 704-406(7).

DATED: _____, Hawai'i, _____.

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.