

Prosecutor  
 Defense Counsel  
 AMHD/Courts & Corrections [fax: (808) 832-1855]  
 Sheriff Div. [Hilo fax: (808) 933-8836; Kona fax: (808) 322-8788]  
 Probation [Hilo fax: (808) 961-7676; Kona fax: (808) 443-2188]  
 HISC [Hilo fax: (808) 933-8826; Kona fax: (808) 323-4571]  
 HCCC [fax: (808) 933-0447]  
 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 DISCHARGE  
 OF DEFENDANT RELEASED ON  
 CONDITIONS**

**[§§704-406(1)(b); 704-406(8)]**

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

Hearing Date

Date: \_\_\_\_\_

Time: \_\_\_\_\_

JUDGE: \_\_\_\_\_

**ORDER OF DISMISSAL AND DISCHARGE OF DEFENDANT  
RELEASED ON CONDITIONS**

The matter of Defendant's review for dismissal and discharge from release on conditions pursuant to Sections 704-406(1)(b) and (8), 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 released on conditions for a period of 120 days;

4. The Defendant is not subject to prosecution for other charges; and

5. The Defendant is not 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 released on conditions in the above-captioned matter are hereby DISMISSED; and

2. The Defendant shall be immediately discharged from the release conditions and further supervision of the Court.

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](mailto:adarequest@courts.hawaii.gov). The ADA Coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.