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Fiscal

IN THE _____ COURT OF THE THIRD CIRCUIT
_____ DIVISION
STATE OF HAWAII

STATE OF HAWAII

vs.

_____,
Defendant.

CASE NO. _____

**ORDER OF DISMISSAL AND DISCHARGE
FROM RELEASE ON CONDITIONS OF
DEFENDANT UNLIKELY TO REGAIN
FITNESS**

[§704-406(8)(a)]

Hearing Date

Date: _____

Time: _____

JUDGE: _____

**ORDER OF DISMISSAL AND DISCHARGE FROM RELEASE ON CONDITIONS OF
DEFENDANT UNLIKELY TO REGAIN FITNESS**

The matter of Defendant's review for fitness pursuant to Sections 704-404(1) and 704-406(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 has been released on conditions pursuant to HRS Section 704-406(1); and
3. The Defendant is unlikely to be restored to fitness in the future.

IT IS THEREFORE HEREBY ORDERED that:

1. The 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 from 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



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