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 ☐ Public Defender 808 274-3422
 ☐ Private Attorney _____
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**IN THE _____ COURT OF THE FIFTH CIRCUIT
STATE OF HAWAII**

STATE OF HAWAII,

vs.

_____,

Defendant.

) **CR. No.** _____
) **FC-CR.** _____
) **REP. NO(S):** _____
) _____
) _____
) ORDER OF DISMISSAL AND
) DISCHARGE OF DEFENDANT RELEASED
) ON CONDITIONS
) _____
) **[NON VIOLENT MISDEMEANOR -**
) **120 DAY TIME LIMIT]**
) **[\$\$704-406(1(b); 704-406(8), HRS]**
) _____
) Hearing Date: _____
) 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 under Sections 704-406(1)(b) and (8), Hawaii Revised Statutes, came on for hearing on _____ at _____ .m. Defendant's counsel, _____,

and Deputy Prosecuting Attorney, _____, were present.
Defendant [] was physically present [] appeared via video-conferencing.

This 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. Pursuant to HRS Section 704-406(1), the release on conditions of a defendant charged with a misdemeanor not involving violence or attempted violence shall continue for no longer than one hundred twenty (120) days.
4. The Defendant has remained released on conditions since _____, and the 120-day period for release on conditions will expire on _____.
5. The Defendant is not subject to prosecution for other charges.
6. The Defendant is not subject to HRS Section 334-60.2 regarding involuntary hospitalization criteria.

Therefore, IT IS HEREBY ORDERED as follows:

1. The misdemeanor charge(s) for which the Defendant has been released on conditions is/are hereby dismissed.
2. The defendant shall be immediately discharged from the release on conditions and further supervision of this Court.

Dated: _____ Hawaii, _____.

Judge

APPROVED AS TO FORM on _____:

Deputy Prosecuting Attorney

Defense Counsel