

**FAX Distribution to:**

- ☒ Prosecutor 808 241-1758  
☒ Defense Attorney  
    ☐ Public Defender 808 274-3422  
    ☐ Private Attorney \_\_\_\_\_  
☒ Adult Probation 808 482-2652  
☒ State Designate 808 832-1855  
☐ 2<sup>nd</sup> Examiner Dr. \_\_\_\_\_  
☐ 3<sup>rd</sup> Examiner Dr. \_\_\_\_\_  
☒ KCMHC Forensics 808 241-3133  
☒ AMHD Forensics 808 777-6169  
☒ Sheriff Division 808 482-2389  
☐ KPD Cellblock 808 241-1645  
☐ KCCC 808 241-3059  
☐ OCCC 808 832-1412  
☒ HSH Forensics 808 236-8716  
☐ Kahi Mohala 808 677-2810  
☐ Other \_\_\_\_\_  
☐ Other \_\_\_\_\_

**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**

) **FROM RELEASE ON CONDITIONS OF**

) **DEFENDANT UNLIKELY TO REGAIN**

) **FITNESS**

)

) **[§704-406(8)(a), HRS]**

)

) **Hearing Date:** \_\_\_\_\_

) **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), 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

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

1. Defendant was previously found unfit to proceed in this case and remains unfit to proceed at the present time.
2. Defendant has been released on conditions pursuant to Hawaii Revised Statutes Section 704-406(1).
3. Defendant is unlikely to be restored to fitness in the future.

IT IS THEREFORE ORDERED that:

1. The charge(s) for which the Defendant has been released on conditions in the above-captioned matter are hereby DISMISSED.
2. The Defendant shall be immediately discharged from the release conditions and from further supervision of this Court.

Dated: \_\_\_\_\_ Hawaii, \_\_\_\_\_.

\_\_\_\_\_  
Judge

APPROVED AS TO FORM on \_\_\_\_\_:

\_\_\_\_\_  
Deputy Prosecuting Attorney

\_\_\_\_\_  
Defense Counsel