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2 IN THE JUSTICE COURT OF SPARKS TOWNSHIP
3 COUNTY OF WASHOE, STATE OF NEVADA

4 STATE OF NEVADA,

5 Plaintiff,

6 vs.

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8 Defendant.

Case No.:

Dept. No.:

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**MISDEMEANOR MOTION AND
ORDER
FOR COMPETENCY EVALUATION**

The undersigned counsel having met and conferred with the defendant, and pursuant to the provisions set forth in NRS 178.400-415, I believe good cause exists to refer the defendant for an evaluation to determine whether they are competent to proceed.

Dated this ____ day of _____ 20__.

Name of Counsel

Signature of Counsel

ORDER

The Court having reviewed the foregoing *Motion* in accordance with NRS 178.400, 405, and 415, and good cause appearing therefore,

IT IS HEREBY ORDERED that a psychiatric social worker or advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 is appointed, authorized, and directed by this Court to examine and test the mental condition of the defendant for the purpose of determining whether defendant has the present ability to:

1. Understand the nature of the criminal charges against them;
2. Understand the nature and purpose of the court proceedings; and
3. Aid and assist their counsel in their defense with a reasonable degree of rational understanding.

1 IT IS FURTHER ORDERED that after the defendant's examination, the psychiatric
2 social worker or advanced practice registered nurse or counsel for the defendant is directed to
3 submit the competency findings to the Court one week prior to the hearing hereby scheduled for
4 _____ at _____ pursuant to NRS 178.415(2).

5 IT IS FURTHER ORDERED that if counsel wishes to traverse the defendant's
6 competency findings pursuant to NRS 178.415(3), counsel is directed to contact the Court to
7 schedule such a hearing.

8 IT IS FURTHER ORDERED that the evaluation will be paid for by defense counsel.

9 IT IS FURTHER ORDERED that the trial in this matter is hereby suspended until the
10 Court has made and entered its finding of competence or incompetence pursuant to NRS
11 178.405.

12 IT IS SO ORDERED.

13 Dated: _____

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16 Justice of the Peace, Sparks Township
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