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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 NADER SALEM ELHUZAYEL and
17 MUHANAD ELFATIH M. A.
18 BADAWI,

19 Defendants.

No. SA CR 15-00060(A)-DOC

[PROPOSED] ORDER FOR
EXAMINATION REGARDING
DEFENDANT'S MENTAL
COMPETENCY
PURSUANT TO 18 U.S.C. § 4241

Hearing: March 8, 2016 at 12:00 p.m.

20 On February 2, 2016, defendant Muhanad Badawi (“Defendant”), by and through his
21 counsel Katherine Corrigan, moved the Court for an order finding that there is reasonable
22 cause to believe that defendant may presently be suffering from a mental disease or defect
23 rendering him mentally incompetent to the extent that he is unable to understand the nature
24 and consequences of the proceedings against him or to assist properly in his defense.

25 Pursuant to 18 U.S.C. § 4241(a), plaintiff United States of America, by and through
26 its counsel, the United States Attorney's Office for the Central District of California, has
27 requested that the Court issue an order pursuant to 18 U.S.C. § 4241(b) requiring that an
28 examination of the defendant be conducted, and that a report be filed with the court,

1 pursuant to the provisions of section 4247 (b) and (c) prior any hearing on the defendant's
2 motion.

3 Based on defendant's submissions and on the government's motion,

4 **IT IS HEREBY ORDERED** that:

5 1. The defendant is hereby committed to the custody of the Attorney General for
6 placement in a suitable facility for the conduct of an examination of the defendant to
7 determine whether there is reasonable cause to believe that the defendant may presently be
8 suffering from a mental disease or defect rendering him mentally incompetent to the extent
9 that he is unable to understand the nature and consequences of the proceedings against him
10 or to assist properly in his defense.

11 2. That the examination of defendant be conducted by the Federal Bureau of
12 Prisons pursuant to 18 U.S.C. § 4241(b).

13 3. That the Federal Bureau of Prisons is to submit a report to the Court
14 regarding the results of the examination pursuant to 18 U.S.C. § 4241(b) and §4247(c) on or
15 before February 26, 2016, absent further court order.

16 4. That pursuant to 18 U.S.C. § 4241(d), the Court will hold a hearing on March
17 8, 2016 at 12:00 p.m. in Courtroom 9D of the above-entitled Court to determine whether
18 there is reasonable cause to believe that the defendant may presently be suffering from a
19 mental disease or defect rendering him mentally incompetent to the extent that he is unable
20 to understand the nature and consequences of the proceedings against him or to assist
21 properly in his defense.

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24 **IT IS SO ORDERED.**

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DATE

HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE