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SC Court of Appeals

20186510D4047

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

) IN THE COURT OF GENERAL SESSIONS
) FOR THE NINTH JUDICIAL CIRCUIT
) Case No(s):
Warrant No(s): W10190431
Charge(s): Probation / violation of terms of
probation

STATE OF SOUTH CAROLINA
vs.
DOMINICK ALEXANDER BROWN,
Defendant

)
)
) FINDING OF PRESENT LACK OF
) COMPETENCE TO STAND TRIAL BUT
) LIKELY TO BECOME COMPETENT
) WITH TREATMENT ORDER OF
) COMMITMENT UP TO SIXTY DAYS

2020 JUN 22 PM 12:10
FILED
JUL 02 2021
JULIE J. ARMSTRONG
CLERK OF COURT

This matter is before me pursuant to S.C. Code Ann. §44-23-430 (1976) for a hearing on the issue of Defendant's competence to stand trial.

Defendant is charged with Probation / violation of terms of probation, parole or other supervisory program (not used for DJJ-s. Pursuant to a previous Court order, Defendant's competence to stand trial has been evaluated. In a report dated, March 19, 2020 the examiners found that Defendant is not currently competent to stand trial, but is likely with treatment to become competent in the foreseeable future. The report was statutorily admitted into evidence pursuant to S.C. Code Ann. § 44-23-420(C), and a copy of the report is attached hereto.

Based upon the examiner's report, I find that the Defendant is currently incompetent to stand trial for the reasons set forth in S.C. Code Ann. §44-23-410, but likely to become competent in the foreseeable future.

THEREFORE IT IS ORDERED that Defendant be hospitalized through the South Carolina Department of Mental Health (SCDMH) pursuant to S.C. Code Ann. §44-23-430(3) for up to sixty (60) days for observation and treatment in an effort to restore Defendant's competence

RMD,

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JULIE J. ARMSTRONG (SEAL)
CLERK (C.P., G.S. & F.C.)
By: Paula [Signature]
DEPUTY CLERK

to stand trial. The Defendant shall be immediately taken into custody by the Sheriff, and the Sheriff's office is hereby authorized and required to transport Defendant to the facility designated by SCDMH following confirmation that a treatment bed is available.

IT IS FURTHER ORDERED that examiners shall re-examine Defendant's capacity to stand trial following the period of hospitalization and treatment and subsequently render a report to the Court, solicitor, and defense counsel. Thereafter, upon motion by a party, this Court shall determine whether Defendant is at that time competent to stand trial, or whether final judicial commitment proceedings commenced by the Solicitor pursuant to S. C. Code Ann. § 44-17-510 et. seq. are appropriate.

IT IS SO ORDERED.

Date: 6/22/2020

I SO MOVE:

KK Solar
Kelly Kassis Solar
Attorney for Defendant

RMD₂

[Signature]
Presiding Judge
Ninth Judicial Circuit

I CONSENT

Kescia L. Holmes
Probation Supervisor
Probation and Parole Services

BY JULIE J. ARMSTRONG
CLERK OF COURT
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FILED

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