
Administrative Form 1.23—Motion for Competency Determination

FIELD(SubDoc:Header) **MOTION FOR COMPETENCY DETERMINATION**

COMES NOW the Honorable FIELD(Case Judge), NESTFORM(d:\docs\wpforms\formdata\@crtcnty.shl) County Magistrate Judge and hereby requests this court to conduct competency proceedings to determine whether FIELD(Party First Name)FIELD(Party Last Name), defendant in the NESTFORM(d:\docs\wpforms\formdata\@crtcnty.shl) County Magistrate Court, case number FIELD(Case Number) is competent to continue in the magistrate court criminal proceedings. A Transfer Order is attached. According to the Rules of Criminal Procedure for the Magistrate Courts, SCRA 1986, 6-507, this court loses jurisdiction to proceed in the case once the issue of competency is raised until the issue is resolved by the district court.

Respectfully submitted,

NESTFORM(d:\docs\wpforms\formdata\@sig1.shl)ENDRECORD

6-507. Insanity or incompetency; transfer to district court.

If the defendant pleads "not guilty by reason of insanity" or if an issue is raised as to the mental competency of the defendant to stand trial, the action shall be transferred to the district court for further proceedings pursuant to the Rules of Criminal Procedure for the District Courts.

Distribution Instructions

1 copy - District Court 1 copy - Defendant 1 copy - Prosecutor 1 copy -
Magistrate Court