

IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR THE COUNTY OF \_\_\_\_\_

State of Oregon \_\_\_\_\_

Plaintiff

v.

Case No: \_\_\_\_\_

**ORDER FINDING  
DEFENDANT UNFIT TO  
PROCEED AND COMMITTED  
TO OREGON STATE  
HOSPITAL ON A  
COMMITTABLE CASE**

Defendant \_\_\_\_\_

(ORS 161.370)

This matter came before the Court on \_\_\_\_\_ for a hearing concerning Defendant's fitness to proceed pursuant to ORS 161.370.

Defendant  appeared (in person or remotely) /  did not appear, represented by counsel (name/ bar number) \_\_\_\_\_.

The State appeared through (name/ bar number) \_\_\_\_\_.

Based on the Court's review and consideration of (*check all that apply*):

- a report from a local community mental health program (CMHP), dated \_\_\_\_\_
- a report of a certified evaluator, dated \_\_\_\_\_
- the Court's inquiry and observation of Defendant at the hearing
- statements from counsel
- witness testimony from State's witnesses
- witness testimony from Defendant's witnesses
- parties' stipulation that Defendant is unfit to proceed
- other information:

**THE COURT FINDS:**

1. Defendant lacks fitness to proceed.
2. Defendant is committed to the custody of the Superintendent of the Oregon State Hospital (OSH) for treatment to gain fitness to proceed in another case(s):

**THE COURT ORDERS:**

1. Criminal proceedings against Defendant in this case remain suspended until further order of the Court.
2. Defendant is to remain at OSH until discharged on the committable case.

3. Defendant is to receive credit against each charge alleged in the accusatory instrument for each day the Defendant remains at OSH. ORS 161.371(5)(b)(B).
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### **NOTICE OF FIREARMS PROHIBITION**

The court has found that Defendant is not currently able to move forward with their criminal case due to a qualifying mental disorder. As a result, federal law prohibits Defendant from having or buying firearms (guns or ammunition). The Oregon Judicial Department reports the prohibition on Defendant from buying firearms and ammunition to the Oregon State Police.

Future hearing(s) on this case are set for *(date/time/location)*:

<input type="checkbox"/> Prepared by the Court	<input type="checkbox"/> Submitted by attorney for: <input type="checkbox"/> Defendant <input type="checkbox"/> State
Printed Name	
Signature	
OSB #	

*Judge Signature:*

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