

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRAVIS MCCALL,

Defendant.

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Case No. 3:02cr042 (05)

JUDGE WALTER HERBERT RICE

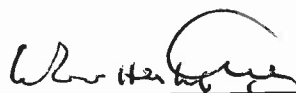
DECISION AND ENTRY COMMITTING DEFENDANT TO THE
CUSTODY OF THE ATTORNEY GENERAL OF THE UNITED STATES,
PURSUANT TO 18 U.S.C. §4241(d), FOR HOSPITALIZATION OF THE
DEFENDANT FOR TREATMENT IN A SUITABLE FACILITY, FOR
PURPOSES SET FORTH BELOW; TERMINATION ENTRY

On May 4, 2012, this Court, upon its own Motion, convened and conducted an oral and evidentiary hearing, pursuant to 18 U.S.C. §4241, to determine the Defendant's present mental competency to undergo a proceeding on the question of whether his supervised release should be revoked. At the conclusion of said hearing, having heard from Dr. Massimo DeMarchis, Psy. D., who, at the Court's request, evaluated the Defendant on the question of his then-present mental competency, the Court found, by a preponderance or greater weight of the evidence that the Defendant was suffering from mental disease or defect rendering him mentally incompetent at this time to participate in the supervised release proceedings against him (Doc. #240).

On May 24, 2012, the Defendant appeared in open Court for interim disposition, pursuant to this Court's finding of May 4, 2012. Pursuant to the record made at that time, and, further, pursuant to 18 U.S.C. §4241(d), the Court, having found by a preponderance of the evidence that Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense of the supervised release violation, the Court remands the Defendant to the Attorney General of the United States for hospitalization of the Defendant for treatment in a suitable facility, for a reasonable period of time not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward; and for any additional reasonable period of time until his mental condition is so improved that the proceeding may proceed, if the Court finds that there is a substantial probability that within such additional period of time he will attain the capacity to permit the proceedings to go forward; or the pending charges against him are disposed of according to law; whichever is earlier.

Following the above proceedings, the Defendant was orally explained his right of appeal, and he indicated an understanding of same.

June 14, 2012



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

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John Menke, USPO