

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
 Plaintiff,)
 v.) Criminal Action No.
) 10-00131-01-CR-W-FJG
DENNY RAY HARDIN,)
 Defendant.)

ORDER

Pending before this Court is the issue of defendant's competency. On May 13, 2010, counsel for both defendant and the government filed motions pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency (Doc. Nos. 13, 15). Defendant was examined by Dr. Jeremiah Dwyer, Ph.D., and a competency hearing was held before Chief United States Magistrate Judge Robert Larsen on September 9, 2010, at which time the parties stipulated to Dr. Dwyer's report. Therefore, after making an independent review of the record, it is

ORDERED that defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Chief Magistrate Judge Robert Larsen is adopted in its entirety, and that defendant is incompetent to proceed. It is further

ORDERED that defendant, Denny Ray Hardin, be committed to the custody of the United States Attorney General for hospitalization and treatment pursuant to 18 U.S.C. §4241(d).

/s/ Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 10/06/10
Kansas City, Missouri