

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

BARBARA ANN ROBBINS,

Defendant.

CRIMINAL CASE NO.

1:17-CR-00075-SCJ-JFK

ORDER OF COMMITMENT PURSUANT TO 18 U.S.C. § 4241(d)

On or about September 28, 2017, this court received a report from the Federal Bureau of Prisons, Federal Medical Center, Carswell, Fort Worth, Texas, indicating that Defendant Robbins was currently suffering from a severe mental disorder which interferes with her ability to assist her attorneys in her defense. The court has been advised that counsel for Defendant and for the Government do not object to the conclusion contained in the report and that neither party requests that a hearing be held to introduce evidence in addition to the report. Based on the report, the court finds, by a preponderance of the evidence, that Defendant Robbins is suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her or to assist

properly in her defense and finds that Defendant should be committed for treatment and evaluation pursuant to 18 U.S.C. § 4241(d).

Therefore, in accordance with 18 U.S.C. § 4241(d)(1), the court **ORDERS** that Defendant Robbins be committed to the custody of the Attorney General and **ORDERS** that the Attorney General hospitalize Defendant in a federal medical center¹ for treatment for such a reasonable period of time, not to exceed four (4) months, as is necessary to determine whether there is a substantial probability that in the foreseeable future Defendant will attain the capacity to permit the trial to proceed.²

It is further **ORDERED** that upon completion of said evaluation, a written report of the findings of the Warden of the facility housing Defendant is to be furnished to the court, counsel for Defendant and counsel for the Government. This report, examination

¹Defendant remains in custody at the Federal Medical Center, Carswell, where the court was advised she would be treated under any order to attempt to restore competency.

²In the evaluation received on September 28, 2017, as part of the discussion of the difficulty of diagnosing Defendant's mental illness, Diana Hamilton, Psy.D., made a statement regarding the potential benefit of the administration of antipsychotic medication in the efforts to restore competency. Absent Defendant's voluntary agreement to the administration of medications, administration of antipsychotic medications will only, of course, be in accordance with the dictates of Sell v. United States, 123 S. Ct. 2174 (2003). And see United States v. Pfeifer, 140 F. Supp. 3d 1271, 1273-74 (M.D. Ala. 2015) (setting forth the criteria for forcible medication).

and evaluation is to be **confidential** and is not to be released by the parties except upon further order of the court.

It is further **ORDERED** that, pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (h)(4), the period from September 28, 2017, until completion of the proceedings under 18 U.S.C. § 4142(d), including proceedings before this court to determine Defendant's mental competency to stand trial, are excluded from the Speedy Trial Act computation.

The Clerk of Court is **DIRECTED** to serve a copy of this order upon the United States Marshal's Service.

SO ORDERED, this 4th day of October 2017.



JANET F. KING
UNITED STATES MAGISTRATE JUDGE