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2 IN THE JUSTICE COURT OF SPARKS TOWNSHIP  
3 COUNTY OF WASHOE, STATE OF NEVADA

4 STATE OF NEVADA,

5 Plaintiff,

6 vs.

7 ,  
8 Defendant.

Case No.:

Dept. No.:

**MOTION AND ORDER  
FOR COMPETENCY EVALUATION**

9  
10 The undersigned counsel having met and conferred with the defendant, and pursuant to  
11 the provisions set forth in NRS 178.400-415, I believe good cause exists to refer the defendant  
12 for an evaluation to determine whether they are competent to proceed.

13 Dated this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

14  
15 \_\_\_\_\_  
Name of Counsel

Signature of Counsel

16  
17 **ORDER**

18 The Court having reviewed the foregoing *Motion* in accordance with NRS 178.400, 405,  
19 and 415, and good cause appearing therefore,

20 IT IS HEREBY ORDERED that a psychiatric social worker or advanced practice  
21 registered nurse who has the psychiatric training and experience prescribed by the State Board  
22 of Nursing pursuant to NRS 632.120 is appointed, authorized, and directed by this Court to  
23 examine and test the mental condition of the defendant for the purpose of determining whether  
24 defendant has the present ability to:

- 25 1. Understand the nature of the criminal charges against them;  
26 2. Understand the nature and purpose of the court proceedings; and  
27 3. Aid and assist their counsel in their defense with a reasonable degree of rational  
28 understanding.

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IT IS FURTHER ORDERED that after the defendant’s examination, the psychiatric social worker or advanced practice registered nurse or counsel for the defendant is directed to submit the competency findings to the Court one week prior to the hearing hereby scheduled for \_\_\_\_\_ at \_\_\_\_\_ pursuant to NRS 178.415(2).

IT IS FURTHER ORDERED that if counsel wishes to traverse the defendant’s competency findings pursuant to NRS 178.415(3), counsel is directed to contact the Court to schedule such a hearing.

IT IS FURTHER ORDERED that the evaluation will be paid for by defense counsel.

IT IS FURTHER ORDERED that the trial in this matter is hereby suspended until the Court has made and entered its finding of competence or incompetence pursuant to NRS 178.405.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Justice of the Peace, Sparks Township