

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADRIAN BELL,

Defendant.

ORDER

04-CR-165-S

On February 15, 2007, this court held a telephonic status conference. Defendant Adrian Bell did not participate personally, but was represented by his attorney, T. Christopher Kelly. The government was represented by Assistant United States Attorney Rita Rumbelow.

The court called this status conference in order to address Mr. Bell's continued stay at the BOP without presentation of the competency evaluation report ordered by this court on August 29, 2006. Neither this court nor Attorney Kelly had been following up diligently on Mr. Bell's status; the court recently learned in response to its inquiry that the institution housing Mr. Bell was unaware that it was supposed to be performing any competency evaluation whatsoever, claiming never to have gotten the court's order.

The court will not attempt to reconstruct what happened to determine how we got to this juncture; new procedures have been instituted to prevent such problems in future cases. At this point, regarding Mr. Bell, all we can do is send a new copy of the court's order

directing a competency evaluation to the institution, along with new copies of the documents ordered produced in paragraph 3 of the court's original order. *See* Dkt. 87 at 3. As before, the court directs the probation office to gather and submit these materials to the BOP.

Upon receiving the examination report, the court will schedule further proceedings to resolve this case. The parties had no other matters to bring to the court's attention.

Entered this 15th day of February, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge