

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRACY D. SIAM,

Defendant.

ORDER

06-CR-58-C

Having read the April 26, 2006 Psychological Evaluation prepared by Thomas J. Moran, Ph.D., and having discussed that report with the parties at a May 1, 2006 telephonic status conference, I have found reasonable cause to believe that defendant Tracy D. Siam currently may be 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. I also have concluded that it would be quicker and more efficient to order a local evaluation rather than wait for the U.S. Bureau of Prisons to designate an examining institution and arrange transportation.

Therefore, pursuant to 18 U.S.C. §§ 4241(b), 4242(a), 4247(b) and 4247(c), it is ORDERED that:

1. Defendant Tracy Siam shall undergo a psychiatric or psychological examination conducted by a licensed or certified psychiatrist or psychologist. This examination shall be conducted locally and shall be completed by June 15, 2006.

2. The examiner shall prepare a psychiatric or psychological report which shall be filed under seal with this court, with copies provided to defendant's attorney and the Assistant U.S. Attorney in this case. The report shall include:

- (1) Defendant's history and present symptoms;
- (2) A description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) The examiner's findings;
- (4) The examiner's opinions as to diagnosis, prognosis, and
 - A) the examiner's opinion whether defendant 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
 - B) Whether the defendant was insane at the time of the offenses charged.

3. To assist in the examination and report, pretrial services shall obtain from the following persons the following documents, which pretrial services shall send forthwith to the examiner, along with a copy of the pretrial services report:

- (1) Clerk of Court: all documents, including any sealed documents, filed in this case;
- (2) U.S. Attorney: all Rule 16 discovery and any other documents that might assist the examiners in their evaluation; and
- (3) Defense counsel: any other documents counsel believes might assist the examiners in their evaluation;
- (4) A copy of Dr. Moran's April 26, 2006 evaluation.

4. The report deadline may be extended up to 30 days if requested by the examiner and if the examiner shows good cause that additional time is necessary to observe and evaluate defendant.

5. After receiving the examiner's report this court shall hold a hearing pursuant to §4247(d) to determine whether defendant is competent to stand trial in this case. Further scheduling will take place thereafter as necessary.

6. Time from May 1, 2006 until the court's final determination of defendant's competency is excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(A).

Entered this 1st day of May, 2006.

BY THE COURT:
/s/
STEPHEN L. CROCKER
Magistrate Judge