IN THE CIRCUIT COURT OF [*county*] COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA,

v. [*case number*]

Hon. [*name*]

[*name-all caps*],

Defendant.

**MOTION FOR FURTHER MENTAL EXAMINATION**

On this date came the Defendant, [ *name* ], by [ *his/her* ] Counsel, [ *counsel’s name* ], and moved the Honorable Court, pursuant to W. Va. Code § 27-6A-2(a) to order such additional examinations as may be deemed necessary to determine if the Defendant remains competent to stand trial.

In support of said motion, the Defendant asserts that [ *he/she* ] was previously found competent to stand trial on [ *date of competency finding* ], but that there is presently new evidence casting serious doubt on the validity of the earlier competency finding, or that there has been an intervening change of circumstances that renders the prior determination an unreliable gauge of present mental competency, as indicated by the following: [ *list factors, i.e., new evidence or intervening change of circumstances, indicating need for additional examinations* ].

Dated the \_\_\_ day of [*month, year*].

[*defendant*],

By Counsel

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*counsel name*] [*bar number*]

[*address*]

[*phone number*]

[*email address*]

Counsel for Defendant