

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA :  
 :  
 vs. :  
 :  
 [REDACTED] :

MOTION FOR PSYCHIATRIC EXAMINATION

[REDACTED], through his undersigned counsel of record, respectfully requests pursuant to 18 USC §§ 4241 and 4242, for a psychiatric and psychological examination of the defendant to determine his competency to stand trial and mental condition at the time of the alleged offense. In support of this motion, the undersigned shows unto the court the following:

1. The defendant is charged with possessing a firearm after having previously been convicted of a felony offense pursuant to 18 USC § 922(g)(1).

2. The alleged offense occurred on October 8, 2001, in Durham, North Carolina.

3. [REDACTED] has a history of seizure disorders, which cause him to lose consciousness. [REDACTED] has suffered from this condition for approximately seven years, and is currently under the care of a physician, and taking prescribed medication, for the condition. The seizures occur spontaneously and without notice and are characterized by a total lapse of memory of events which occurred during the seizure.

4. [REDACTED] has no recollection of the events which comprise the alleged offense conduct in this case, and believes that he suffered a seizure or "blackout" at the time of the alleged offense.

5. Defense counsel has confirmed, in conversations with the defendant's mother, that [REDACTED] does in fact have a history of seizures which occur sporadically, and sometimes in clusters; and which deprive him of any recollection of his behavior during the episode. The defendant's mother also confirms that [REDACTED] has a history of having seizures while engaging in activities like driving, and that he has been seen by a physician for this condition.

6. Counsel for the defendant has informed Assistant United States Attorney Angela Miller of his intention to file the instant motion.

WHEREFORE, the defendant respectfully requests that the Court enter an order granting the relief requested herein.

Respectfully submitted, this \_\_\_\_\_ day of January, 2002.

LOUIS C. ALLEN III  
Federal Public Defender

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JOHN A. DUSENBURY, JR.  
Assistant Federal Public Defender  
North Carolina State Bar No. [REDACTED]  
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CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing on the below-mentioned attorney by mailing a copy of the same to the following address:

Angela H. Miller  
Assistant United States Attorney  
P. O. Box 1858  
Greensboro, NC 27402

This, the \_\_\_\_\_ day of January, 2002.

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JOHN A. DUSENBURY, JR.  
Assistant Federal Public Defender