

**IN THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA**

**STATE OF FLORIDA,
Plaintiff,**

**CASE NO.: 482008-CF-0015606-O
Judge Perry**

vs.

**CASEY MARIE ANTHONY,
Defendant.**

MOTION TO DETERMINE COMPETENCY TO PROCEED

COMES NOW the Defendant, CASEY ANTHONY, by and through her undersigned Counsel, and pursuant to Fla. R. Crim. P. 3.210(b) and Fla. Stat. § 916.12 (2010), and asserts the following:

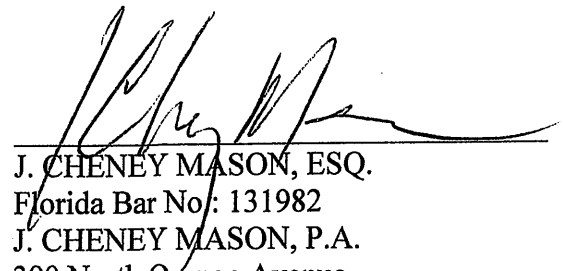
Based on privileged communications between Casey Marie Anthony and her Counsel, Counsel reasonably believes that Ms. Anthony is not competent to aid and assist in her own defense and is incompetent to proceed. As a result of this well-founded concern, Counsel requests a full competency determination before the continuation of trial proceedings.

The undersigned Counsel does hereby certify that this motion is made in good faith and on reasonable grounds that Defendant is incompetent to proceed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been hand delivered to Linda Drane-Burdick, Esq. and Jeffery Ashton, Esq. at the Office of the State Attorney, 415 N. Orange Avenue, Orlando, Florida 32801 on this 27th day of June, 2011.

FILED IN OPEN COURT
THIS 27 DAY OF June, 2011
Lydia Gardner, Clerk
BY [Signature] D.C.



J. CHENEY MASON, ESQ.

Florida Bar No: 131982

J. CHENEY MASON, P.A.

390 North Orange Avenue

Suite 2100

Orlando, Florida 32801-1967

Telephone (407) 843-5785

Facsimile (407) 422-6858

One of the Attorneys for the Defendant

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND FOR
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

CASE NO.: 2008-CF-15606-O

vs.

CASEY MARIE ANTHONY,

Defendant.

EMERGENCY ORDER APPOINTING EXPERT FOR COMPETENCY EVALUATION

The issue as to whether the Defendant herein is competent to proceed has been raised.

Therefore it is **ORDERED and ADJUDGED** as follows:

1. THE CLERK OF COURT IS DIRECTED TO FILE THIS ORDER UNDER SEAL AND SHALL KEEP SAID ORDER CONFIDENTIAL UNTIL FURTHER ORDER OF THIS COURT. NO ONE, INCLUDING THE ORANGE COUNTY CORRECTIONS DIVISION, SHALL RELEASE THIS ORDER TO ANYONE WITHOUT A COURT ORDER.
2. The following individual is hereby appointed as an expert to examine the Defendant in accordance with this Order's requirements: Dr. Harry A. McClaren.
3. The expert shall immediately examine the Defendant and shall review the Defendant's Orange County Jail medical and psychiatric reports as deemed appropriate, in accordance with the provisions of rule 3.211(a) of the Florida Rules of Criminal Procedure and report as to the following issues:

FILED IN OPEN COURT
THIS 27 DAY OF July, 20 11
Lydia Gardner, Clerk
BY [Signature] D.C.

a. Whether the Defendant is competent to proceed in these criminal proceedings pursuant to the criteria set forth in section 916.12 of the Florida Statutes and rule 3.211(a) of the Florida Rules of Criminal Procedure. The expert shall consider whether the Defendant has sufficient present ability to consult with her attorney with a reasonable degree of rational understanding and whether she has a rational, as well as factual, understanding of the proceedings against her. The expert shall also consider and include in his report the following and any other information deemed relevant: The Defendant's capacity to:

1. Appreciate the charges or allegations against her;
2. Appreciate the range and nature of possible penalties which may be imposed;
3. Understand the adversary nature of the legal process;
4. Disclose to her attorney facts pertinent to the proceedings at issue;
5. Manifest appropriate courtroom behavior; and
6. Testify relevantly.

b. If the expert finds that the Defendant is incompetent to proceed, then he shall report on any recommended treatment for the Defendant to attain competence to proceed. As to treatment issues, the expert shall report on:

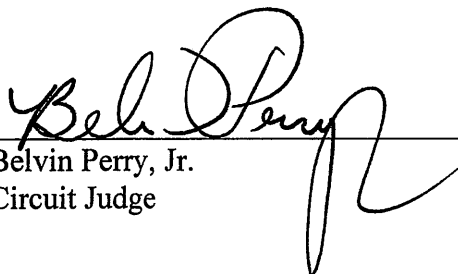
1. The mental illness causing the incompetence;
2. The appropriate treatment(s) for the Defendant's mental illness and an explanation of each of the possible treatment alternatives in order of choices;
3. The availability of acceptable treatment including whether treatment is available in the community; and

4. The Defendant's likelihood of attaining competence under the treatment recommended, the probable duration of the treatment required to restore competence, and the probability that the Defendant will attain competence to proceed in the foreseeable future.

4. The expert shall submit his written report directly to this Court on or before Sunday, June 26, 2011. The Court will provide copies to the attorneys for the State and the Defendant.

5. The invoice for said evaluation shall be submitted to Court Administration, Expert Witness Payments, Suite 2130, 425 North Orange Avenue, Orlando, Florida, 32801. The expert shall be compensated at a higher rate than that established by the Indigent Services Committee for the Ninth Circuit as set out in the applicable Indigent Services Committee Resolution because of the emergency nature of the services, the short notice and the short requirement for submission of their reports. Said rate or amount of compensation shall be determined by the Court at a future date.

DONE AND ORDERED in Chambers, at Orlando, Florida, this 25th day of June, 2011.


Belvin Perry, Jr.
Circuit Judge

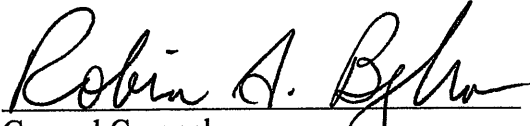
CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Order was provided by electronic mail to the following on this 25th day of June, 2011, to:

1. Linda Drane Burdick, Jeffrey L. Ashton, and Frank George, Assistant State Attorneys, 415 North Orange Avenue, Orlando, Florida 32801;

2. Jose Baez, Esq., The Baez Law Firm, 522 Simpson Road, Kissimmee, Florida 34744;
and

3. J. Cheney Mason, Esq., J. Cheney Mason, P.A., 390 North Orange Avenue, Suite
2100, Orlando, Florida 32801.


General Counsel

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND FOR
ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

CASE NO.: 2008-CF-15606-O

vs.

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2. The following individuals are hereby appointed as experts to examine the Defendant in accordance with this Order's requirements: Dr. Daniel Tressler and Dr. Ryan C.W. Hall.

3. The experts shall immediately examine the Defendant and shall review the Defendant's Orange County Jail medical and psychiatric reports as deemed appropriate, in accordance with the provisions of rule 3.211(a) of the Florida Rules of Criminal Procedure and report as to the following issues:

FILED IN OPEN COURT
THIS 22 DAY OF June, 2011
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BY [Signature] D.C.

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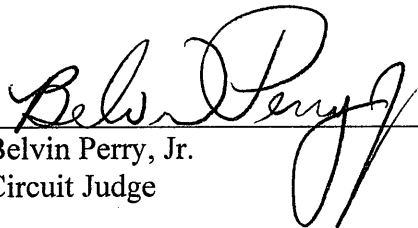
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DONE AND ORDERED in Chambers, at Orlando, Florida, this 25th day of June, 2011.


Belvin Perry, Jr.
Circuit Judge

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and

3. J. Cheney Mason, Esq., J. Cheney Mason, P.A., 390 North Orange Avenue, Suite
2100, Orlando, Florida 32801.

General Counsel