

IN THE SUPERIOR COURT OF BULLOCH COUNTY  
STATE OF GEORGIA

STATE OF GEORGIA

CASE NO:

v.

,

**Defendant.**

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**SPECIAL PLEA OF INCOMPETENCY TO STAND TRIAL AND JOINT  
MOTION FOR TRANSFER OF DEFENDANT TO DBHDD**

COMES NOW, Defendant in the above-named action, without waiving formal arraignment or any other rights to which he is entitled, and files this his *Plea of Incompetency to Stand Trial*. In support thereof, he shows the Court the following:

1. On \_\_\_\_\_, 2024, the Honorable \_\_\_\_\_, Bulloch County Superior Court Judge, ordered that the defendant be examined by psychiatric personnel to determine, inter alia, whether he is competent to assist counsel in the preparation of his defense;
2. On -----, 2023, the defendant was so examined and found not to be competent to assist in the preparation of his defense or thus to stand trial at this time;
3. Under the provisions of O.C.G.A. § 17-7-130, upon the filing of the within plea, it is the duty of the Court to have a trial to determine the defendant's competency to stand trial, if requested, and if the defendant is found to be incompetent, to transfer the defendant to the Department of Behavioral

Health and Developmental Disabilities for evaluation and diagnosis as to the probability of his attaining mental competency to stand trial in the foreseeable future;

4. Defendant, after the State having consented to the within plea, moves this Honorable Court to transfer him or her forthwith to the Department of Behavioral Health and Developmental Disabilities for the evaluation and diagnosis provided for in O.C.G.A. § 17-7-130.

WHEREFORE, Defendant respectfully prays this Court to accept this special plea and to order his transfer to the Department of Behavioral Health and Developmental Disabilities for the above-stated purposes.

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_, 2024.

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Attorney Name  
Attorney for Defendant

Defense counsel contact info

cc: ADA  
Bulloch County Clerk of Court  
Sheriff's Office  
DBHDD