IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
vs.		Case No. 3:09cr181(1)
	:	
ELMO BAILEY (1),		JUDGE WALTER HERBERT RICE
	:	
Defendant.		

ENTRY REFERRING DEFENDANT TO DR. MASSIMO DeMARCHIS, PSY.D., PURSUANT TO 18 U.S.C. SECTIONS 4241 AND 4244, TO DETERMINE PRESENT MENTAL COMPETENCY TO STAND TRIAL AND MENTAL STATUS; PROCEDURES REQUESTED OF COUNSEL AND OF DR. DeMARCHIS

Pursuant to defense counsel's oral request, during a telephone conference call between Court and counsel, held February 22, 2010, and the follow up written motion of February 26, 2010 (Doc. #27), the captioned Defendant is referred to Dr. Massimo DeMarchis, Psy.D., pursuant to 18 U.S.C. Sections 4241 and 4244, to determine both present competency to stand trial and his present mental status. It is the request of this Court that the aforesaid Dr. Massimo DeMarchis <u>not</u> meet with the Defendant, until seven (7) days following receipt of this Entry, in order that counsel, both for the Government and the Defendant, might have time to address correspondence to him with specific concerns and desires with regard to

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the evaluations requested herein.

Dr. DeMarchis is advised that the Defendant is presently incarcerated at the Butler County Jail.

/s/ Walter Herbert Rice

March 31, 2010

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Brent Tabacchi, Esq.
Cheryll Bennett, Esq.
United States Marshal
United States Pretrial Services
United States Probation Department

Courtesy Copy to:

Anthony Abboud, Esq.
Lynne Fleming, Esq.