

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:21-cr-66-SPC-NPM

JESUS ALEXIS VAZQUEZ

ORDER

The parties appeared before the Court on January 24, 2024, for a status conference. It was apparent to the Court, and counsel, that Defendant remains unable to understand the charges against him or meaningfully participate in his defense. As a result, the Court finds there is reasonable grounds to believe Defendant may presently suffer from a mental disease or defect rendering him mentally incompetent to proceed. *See* 18 U.S.C. § 4241(a).

Accordingly, the Court hereby appoints Dr. Pat Capozzoli to conduct an independent psychiatric/psychological examination of Defendant. Counsel for Defendant shall provide a copy of this order to Dr. Capozzoli and assemble whatever documents or medical records Dr. Capozzoli may need for the evaluation. Dr. Capozzoli shall complete the examination and file a report with this Court, with copies provided to the counsel for Defendant and to the Assistant United States Attorney, within thirty (30) days of the examination. *See* 18 U.S.C. § 4247(c). The report shall include:

- (1) Defendant's history and present symptoms;

- (2) a description of the psychiatric, psychological, and medical tests that were employed and their results;
- (3) the examiner's findings; and
- (4) the examiner's opinions as to diagnosis, prognosis, and whether the Defendant is suffering from a mental disease or defect rendering his mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Id. Counsel for Defendant is directed to file a motion if a further order is needed to facilitate Dr. Capozzoli's access to the facility where Defendant is incarcerated.

Upon receipt of the report, the Court will schedule a status conference to assess what further proceedings are necessary. The United States Attorney's Office shall be billed directly for all services rendered in accordance with this Order. Finally, Defendant shall remain detained under the Court's prior order (Doc. 155) until his competency (or lack thereof) can be determined.

ORDERED in Fort Myers, Florida on January 24, 2024.


Kyle C. Dudek
United States Magistrate Judge