

CAUSE NO. *****

THE STATE OF TEXAS

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§

IN THE CRIMINAL DISTRICT

VS.

COURT #2

DALLAS COUNTY, TEXAS

**JUDGMENT OF DISMISSAL DUE TO INCOMPETENCY
AND ORDER OF TRANSFER FOR CIVIL COMMITMENT**

The Defendant, *****, having been charged with the offense of Prostitution with 3 or more priors and the attorney for the State having made a motion to dismiss the indictment on the ground that the Defendant is incompetent to stand trial;

IT IS THEREFORE ORDERED that the above numbered and styled cause is DISMISSED pursuant to Art. 46B.004(e) of the Code of Criminal Procedure due to the incompetency of the Defendant to stand trial.

THE COURT FINDS that there is evidence to support a finding that the Defendant is a person with mental illness and/or mental retardation;

IT IS THEREFORE ORDERED that the Defendant is transferred to Probate Court No. 3 of Dallas County, Texas, pursuant to Article 46B.151 of the Texas Code of Criminal Procedure for the prompt initiation and prosecution by the attorney for the State of Texas. The attorney for the State shall promptly initiate and prosecute appropriate civil proceedings to determine whether the Defendant should be committed to a mental health or residential care facility pursuant to the Health and Safety Code.

IT IS FURTHER ORDERED that a hold be placed on Defendant stating “Hold for Civil Commitment – Transicare will transport.”

IT IS FURTHER ORDERED that the Defendant shall remain detained in jail or any other suitable place pending action of the Probate Court No. 3 on the civil commitment proceedings.

The Clerk of this Court is directed to deliver a copy of this order to the attorney for the State of Texas and to the attorney for the Defendant.

The Clerk of this Court is further directed to immediately transfer this cause to Probate Court No. 3 of Dallas County, Texas.

SIGNED this _____ day of _____, 2024.

JUDGE

Kendall McKimmey
Attorney for the State of Texas
Texas Bar Number 24044009

TRIAL DOCKET – CRIMINAL COURT – DALLAS COUNTY, TEXAS

STATE OF TEXAS	ATTORNEYS	OFFENSE	DATE OF FILING
VS. *****	State: Kendall McKimmey Defense: *****	F212***** (H) BURG HAB	9/10/21
DATE OF ORDER	ORDER OF COURT		
	COURT ORDERS A HOLD TO BE PLACED ON DEFENDANT STATING “HOLD FOR CIVIL COMMITMENT – TRANSICARE TO		
	TRANSPORT.”		
	COURT ALSO ORDERS THE HOLD FOR THE STATE HOSPITAL TO BE REMOVED.		