

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 09-00112-01-CR-W-ODS
	)	
CLIFTON D. TAYLOR,	)	
	)	
Defendant.	)	

**MOTION FOR DETERMINATION OF COMPETENCY**

COMES NOW the Defendant, Clifton D. Taylor, by his counsel, Travis D. Poindexter, Assistant Federal Public Defender for the Western District of Missouri, in accordance with Rule 47, Fed. R. Crim. P., and moves this Court pursuant to 18 U.S.C. §§ 4241 for a judicial determination of Mr. Taylor’s ability to stand trial. Accordingly, counsel moves this Court to order a psychiatric or psychological examination of defendant and that a report from such examination be filed with the court. This psychiatric or psychological report shall advise the court as to the defendant’s mental ability to understand the proceedings presently pending against him and to properly assist his counsel in his own defense.

**SUGGESTIONS IN SUPPORT**

1. On March 13, 2009, Mr. Taylor was charged by criminal complaint with bank robbery.
2. That same day, the Office of the Federal Public Defender was appointed to represent Mr. Taylor.
3. On March 18, 2009, Mr. Taylor appeared before the Honorable Robert E. Larsen, United States Magistrate Judge for preliminary and detention hearings. After hearing evidence, the Court

found that probable cause existed supporting the complaint and Ordered that Mr. Taylor be detained.

4. On April 8, 2009, a Federal Grand Jury, sitting in the Western District of Missouri, returned a one count Indictment charging Mr. Taylor with bank robbery.

5. On April 15, 2009, Mr. Taylor appeared for an arraignment and entered a plea of not guilty through counsel. Mr. Taylor's case is currently set on the August 24, 2009 criminal trial docket.

6. Although investigation to this point has uncovered no prior mental health evaluations or diagnoses, from the personal contacts and deteriorating nature of those discussions, Mr. Taylor has exhibited a number of paranoid characteristics and idealizations. Attempts to have legal and factual discussions regarding the case have given counsel reason to believe that Mr. Taylor may be suffering from a mental disease or defect which may render the defendant incapable of understanding the pending charges or assisting in his defense in the present case.

WHEREFORE, counsel moves this Court pursuant to 18 U.S.C. § 4241 for a judicial determination of Defendant's mental competency. Accordingly, counsel requests this Court to order a mental examination of defendant by at least one qualified psychiatrist or psychologist who shall prepare and submit a written report to this court concerning the defendant's mental ability to understand the proceedings presently pending against him and to properly assist the undersigned in his defense.

Respectfully submitted,

/s/ Travis D. Poindexter

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COUNSEL FOR DEFENDANT

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(a), (b) and (d), Federal Rules of Criminal Procedure, and Rule 5(b), Federal Rules of Civil Procedure, it is hereby certified that one copy of the foregoing motion was electronically delivered to Leena Ramana, Special Assistant U. S. Attorney, Western District of Missouri, Counsel for Plaintiff, 400 E. 9th St., 5th Floor, Kansas City, Missouri 64106, this 6<sup>th</sup> day of August, 2009.

/s/ Travis D. Poindexter  
TRAVIS D. POINDEXTER