

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

<b>UNITED STATES OF AMERICA,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 10-00162-21-CR-W-FJG</b>
	)	
<b>DOROTHEA L. CAIN,</b>	)	
<b>Defendant.</b>	)	

**MOTION FOR MENTAL EXAMINATION**  
**and**  
**MEDICAL AND TREATMENT**

COMES NOW Defendant Dorothea L. Cain, by and through her appointed attorney, and for her Motion for Mental Examination pursuant to Fed. R. Crim. Pro. Rule 12.2 and 18 U.S.C. § 4241, hereby states as follows:

1. Defendant Dorothea L. Cain was diagnosed prior to her arrest in this case with depression disorder; and subsequent to arrest by a physician providing health services to detainees housed in the Bates County Jail, with psychotic disorder, and has been proscribed psychotropic medications including but not limited to Thyroxine, Abilifi, Celexa and two other drugs.
2. Counsel for Defendant Dorothea L. Cain met with Defendant at the Bates County jail in Butler, Missouri on July 12, 2010, and noted that the Defendant was significantly sedated, and noted that the Defendant did not process information in timely fashion.
3. Due to the Defendant's prescribed medications and the resultant sedated state of the Defendant, Counsel is concerned that Defendant's behavior, memory, ability to comprehend the criminal prosecution pending against him, to communicate with his counsel, and to assist and

aid his own defense may be affected by this condition.

4. Counsel for Defendant Christopher D. Waggoner believes mental examination by a neuropharmacologist, neuropsychiatrist, psychiatrist and other mental health professionals are necessary to medically review and analyze Ms. Dorothea Cain's mental state to determine whether she is able to assist in her defense and or to determine if she is competent to stand trial.

WHEREFORE, Defendant prays the Court grant her Motion for Mental Examination, and for such other relief as the Court deems just and proper under the circumstances.

Respectfully Submitted,

**LAW OFFICES OF DAVID H. JOHNSON**

By: /s/ David H. Johnson

David H. Johnson, MBE# 23466  
3100 Broadway, Suite 1209  
Kansas City, MO 64111  
(816) 531-7100 ext. 210  
(816) 756-0373 (facsimile)  
(816) 213-6350 (cell)  
Dhjohnson@sbcglobal.net

ATTORNEY FOR DEFENDANT  
DOROTHEA CAIN

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to counsel of record.

/s/ David H. Johnson

David H. Johnson, MBE# 23466