

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	No. 11-00223-04-CR-W-ODS
v.	)	
	)	
BILLY RAY HALL,	)	
	)	
Defendant.	)	

**MOTION FOR PSYCHOLOGICAL EXAMINATION  
OF DEFENDANT BILLY RAY HALL**

The United States moves the Court for an Order directing that defendant Billy Ray Hall undergo a psychological examination, pursuant to 18 U.S.C. § 4241(b), to be conducted by Michael W. Anderson, Ph.D., to determine whether defendant suffers from a mental defect, *i.e.*, dementia, and whether defendant is able to assist properly in his defense. In support of this motion, the United States submits:

1. On March 13, 2012, the Court ordered that defendant undergo a psychiatric examination to be conducted by Dr. William S. Logan, M.D., to determine whether defendant Hall is presently suffering from a mental disease or defect rendering him 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. (Doc. 155)

2. On March 21, 2012, Dr. Logan submitted his Psychiatric Evaluation report. Dr. Logan stated his opinion as follows: "In conclusion, it is my opinion that Mr. Hall has a mental defect, dementia, which renders him incompetent to the extent that he is unable to properly assist in

his defense, although in general, he is able to understand the nature and consequences of the proceedings against him.”

3. The United States believes that a psychological examination and report would assist the Court in determining whether defendant Hall is able to assist properly in his defense, or whether he should be committed to the custody of the Attorney General, pursuant to 18 U.S.C. § 4241(d).

4. The United States requests the Court to order a psychological examination of defendant Hall by Dr. Michael W. Anderson, Ph.D., 222 W. Gregory, Suite 100, Kansas City, Missouri 64114, and that Dr. Anderson be directed to submit a report, in accordance with the provisions of 18 U.S.C. § 4247(b) and (c). The United States suggests that Dr. Anderson should be ordered to include in his report opinions as to:

- (1) whether defendant Hall suffers from dementia;
- (2) whether defendant Hall has “sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding.” *United States v. Ghane*, 593 F.3d 775, 780 (8th Cir. 2010), *citing Cooper v. Oklahoma*, 517 U.S. 348, 354 (1996);
- (3) whether defendant Hall “has a rational as well as factual understanding of the proceedings against him.” *Dusky v. United States*, 362 U.S. 402 (1960).

5. The United States further requests the Court to direct Pretrial Services to furnish Dr. Anderson with copies of any medical records pertaining to defendant Hall, as well as copies of any reports that contain personal information and social history concerning defendant Hall.

Wherefore, the United States requests the Court to order a psychological examination of defendant Billy Ray Hall, and to direct Pretrial Services to furnish the examiner with copies of pertinent information in its possession concerning defendant Hall.

Respectfully submitted,

David M. Ketchmark  
Acting United States Attorney

By

*/s/ Thomas M. Larson*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was delivered on April 2, 2012, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

*/s/ Thomas M. Larson*

Thomas M. Larson  
Assistant United States Attorney