



USA v. Mayberry

2024 | Cited 0 times | D. Colorado | May 10, 2024

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO CASE NO. 24-cr-00110-DDD UNITED STATES OF AMERICA, Plaintiff, v. DERRIS MAYBERRY, Defendant.

MOTION TO DETERMINE MR. MAYBERRY'S COMPETENCY TO STAND TRIAL

Counsel for Derris Mayberry ("Mr. Mayberry"), David A. Kraut, hereby respectfully moves for a hearing to determine Mr. Mayberry's competency to stand trial pursuant to 18 U.S.C. § 4241(a). Counsel further requests that a psychological or psychiatric examination of Mr. Mayberry be conducted prior to such hearing and that a report of that examination be filed with the Court pursuant to 18 U.S.C. §§ 4241(b) and 4247(b) and (c). The grounds in support of this motion are set forth in a separate pleading to be filed ex parte and under restriction simultaneously with this pleading. Respectfully submitted, VIRGINIA L. GRADY Federal Public Defender s/ David Kraut DAVID KRAUT Assistant Federal Public Defender 633 17 th

Street, Suite 1000 Denver, CO 80202 Telephone: (303) 294-7002 FAX: (303) 294-1192 Email: David_Kraut@fd.org Attorney for Defendant I hereby certify that the foregoing pleading complies with the type-volume limitation set forth in Judge Domenico's Practice Standard III.A.1.

s/ David Kraut DAVID KRAUT Assistant Federal Public Defender

CERTIFICATE OF SERVICE I hereby certified that on May 10, 2024, I filed the foregoing Motion to Determine Mr. Mayberry's Competency to Stand Trial with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following email address: Celeste Rangel, Assistant United States Attorney Email: celeste.rangel@usdoj.gov I hereby certify that I have mailed or served the document or paper to the following participant in the manner (mail, hand-delivery, etc.) indicated next to the participant's name: Derris Mayberry (via U.S. mail) s/ David Kraut DAVID KRAUT Assistant Federal Public Defender 633 17 th

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