

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,

v.

ERIC BOCHENE,

Defendant.

Criminal Action No. 21-cr-418 (RDM)

ORDER

On December 21, 2022, this Court ordered that Mr. Bochene be examined by a mental health expert to evaluate his competency to represent himself and his competency to stand trial and ordered the Government to identify a qualified individual to conduct such an examination. *See* Min. Entry (Dec. 21, 2022). The government has now identified a qualified psychologist to conduct the examination, Dkt. 46; Dkt. 48, and Mr. Bochene has not proposed an alternative expert within the timeframe provided for him to do so. *See* Min. Order (Jan. 9, 2023). Accordingly, it is hereby **ORDERED** that, pursuant to 18 U.S.C. § 4241(b), Mr. Bochene shall be evaluated by Dr. Mikesell, a licensed and board certified psychologist, for the purpose of a forensic screening of the defendant's competency;

It is **FURTHER ORDERED** that government counsel shall notify Dr. Mikesell of this Order, and that Dr. Mikesell shall coordinate with Mr. Bochene to set a date on or before February 3, 2023 and a place for the examination to occur;

It is **FURTHER ORDERED** that, after such examination, a report shall be made to this Court and the parties, pursuant to 18 U.S.C. § 4247(c), as to whether Mr. Bochene suffers from severe mental illness to the point where he is not competent to conduct trial proceedings by

himself, *see Indiana v. Edwards*, 554 U.S. 164, 178 (2008), and as to whether Mr. Bochene is presently mentally competent to understand the nature and consequences of the proceedings against him and to properly assist in the preparation of his defense, *see* 18 U.S.C. § 4241(d), and;

It is **FURTHER ORDERED** that such report shall be provided to the parties and filed by the government with this Court under seal on or before February 15, 2023;

It is **FURTHER ORDERED** that the parties shall reserve the afternoon of February 24, 2023 for a hearing on Mr. Bochene's competence, if the Court determines that such a hearing is warranted.

SO ORDERED.

/s/ Randolph D. Moss
RANDOLPH D. MOSS
United States District Judge

Date: January 20, 2023