

IN THE CIRCUIT COURT OF THE
SIXTH JUDICIAL CIRCUIT, IN AND
FOR PINELLAS COUNTY, FLORIDA

STATE OF FLORIDA
Plaintiff,

vs.

Case No.: 23-03157-CF

THOMAS ISAIAH MOSLEY
Defendant,
_____ /

ORDER TO TRANSPORT AND NOTICE OF HEARING

THIS COURT having been noticed by the Florida Department of Children and Families (hereinafter referred to as the "Department"), by and through the Administrator of South Florida Evaluation and Treatment Center (SFETC). (hereinafter referred to as the "Facility"), that the above-named Defendant is competent to proceed, or otherwise no longer meets criteria for continued commitment to the Department, the Defendant should be returned to the Court for a hearing on the issues raised in the notice from the Facility, and pursuant to applicable Florida laws and rules of procedure.

It is hereby **ORDERED AND ADJUDGED** as follows:

1. Section 916.13(2)(c), Florida Statutes, requires that upon receiving notification that the Defendant is restored to competency, or otherwise does not meet criteria for continued commitment to the Department, the Defendant must be transported to the committing court's jurisdiction within seven (7) days of the notice, and the Court shall make a determination on the issue of competency at a hearing within thirty (30) days of said notice. Section 916.13(2)(c), Florida Statutes, also requires that:

If the defendant is receiving psychotropic medication at a mental health facility at the time he or she is discharged and transferred to the jail, the administering of such medication must continue unless the jail physician documents the need to change or discontinue it. To ensure continuity of care, the referring mental health facility must transfer the patient with up to 30 days of medications and assist in discharge planning with medical teams at the receiving county jail. The jail and department physicians shall collaborate to ensure that medication changes do not adversely affect the defendant's mental health status or his or her ability to continue with court proceedings; however, the final authority regarding the administering of medication to an inmate in jail rests with the jail physician.

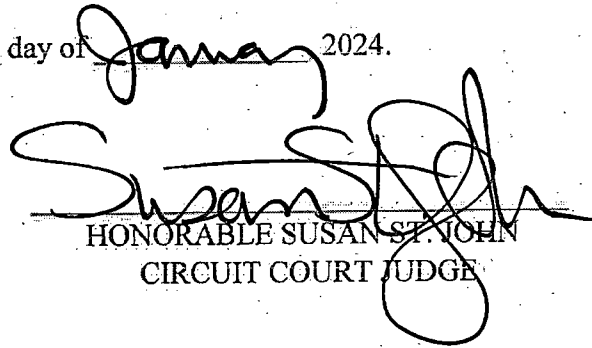
2. That upon receipt of this Order, the Sheriff of Pinellas County, Florida, or designee, shall, forthwith, resume custody of, and deliver the Defendant to the appropriate detention facility under the jurisdiction of this Court **within 7 days of the date of the notice**; and further, shall present the Defendant before this Court for a hearing on the issues raised in the Administrator's report at 8:30 o'clock, a. m., Tuesday, the 13th day of February, 2023. **The Defendant shall not remain at the Facility pending the above scheduled hearing.**

3. If continued medication of this Defendant is required, provided, or prescribed by the state mental health treatment facility, appropriate officials of the detention facility where the Defendant is to be held **shall** administer or cause to be administered the medication to the Defendant as required by law. The Defendant's medication **shall** continue to be administered unless and until modified or eliminated by competent and authorized medical authority. The detention facility shall not consider any supply of medication provided by the state mental health treatment facility to be contraband. If the Defendant refuses medication while incarcerated, the detention facility shall immediately notify the committing court so the issue may be dealt with at a hearing. Continued medication, if needed, is key to the Defendant maintaining his or her competence to proceed in this matter, or continued stability.

4. That two (2) certified copies of this Order shall be delivered forthwith to the Sheriff of Pinellas County, Florida, or designee, one to be presented to officials of the Facility at the time they deliver custody of the Defendant to the officials of the Sheriff or designee.

5. That the Sheriff of Pinellas County, Florida, or designee shall, prior to the execution of this Order, give a minimum of *twenty-four (24)* hours-notice unto the Facility by calling and notifying the Facility's Information Services Department of their intent to resume custody of the Defendant in the above-styled cause.

DONE AND ORDERED this 19 day of January 2024.



HONORABLE SUSAN ST. JOHN
CIRCUIT COURT JUDGE

Copies furnished to:
Office of the Sheriff
DCF Office

E-mail: dcf.adult.forensic.admissions@myflfamilies.com

DCF Counsel, Alicia Gonzalez, Esq.

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Treatment Facility (Certified and Hand-Delivered at time of pickup by Sheriff or Designee)