

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA,

v.

ZARUT NOLDA JEAN PIERRE
THEOLIN,

Defendant.

CASE NO.: 2021-00219-CFFA
JUDGE TERENCE R. PERKINS

**SUGGESTION OF MENTAL
INCOMPETENCE TO STAND TRIAL**

The undersigned attorney, counsel for the Defendant, pursuant to Rule 3.210, Florida Rules of Criminal Procedure, suggests this Court issue an order for Defendant to be examined by Dr. Roger Davis to determine Defendant's mental competence to stand trial. To the extent that it does not invade the lawyer-client privilege, the following is a recital of the specific observations of and conversations with the Defendant which form the basis for this motion:

1. () Defendant has exhibited inappropriate behavior in the presence of counsel and the Court.
2. () Defendant appears disoriented as to time and place.
3. () Defendant cannot aid in the preparation of his/her defense.
4. () Defendant does not appear to appreciate the nature of the charge against him/her or the range and nature of possible penalties.
5. () Defendant does not appear to understand the adversary nature of the legal process and does not appear to understand the role of the undersigned Assistant Public Defender.
6. () Defendant has been unable to disclose to the undersigned Assistant Public Defender pertinent facts surrounding the alleged offense.
7. () It is the opinion of defense expert _____ that the Defendant is incompetent to stand trial.

8. (x) Additional Facts. Ms. Jean Pierre Theolin has previously been declared incompetent to proceed and has a long history of mental illness.

WHEREFORE, Defendant respectfully requests that this Court order the suggested examination.

Respectfully Submitted,

/s/ William M. Bookhammer
WILLIAM M. BOOKHAMMER
ASSISTANT PUBLIC DEFENDER
Florida Bar Number: 716200

CERTIFICATE OF GOOD FAITH

I HEREBY CERTIFY that this Suggestion of Mental Incompetence to Stand Trial is made in good faith and on reasonable grounds.

/s/ William M. Bookhammer
WILLIAM M. BOOKHAMMER
ASSISTANT PUBLIC DEFENDER
Florida Bar Number: 716200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by delivery to: Flagler State Attorney Office, Assistant State Attorney, 1769 East Moody Blvd., Bldg. #1, Bunnell, FL 32110, and to the defendant, on March 4, 2021.

/s/ William M. Bookhammer
WILLIAM M. BOOKHAMMER
ASSISTANT PUBLIC DEFENDER
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Attorney for Defendant

cc: Jim Cain, SMA Forensics, 1150 Red John Road, Daytona Beach