

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

STATE OF FLORIDA,

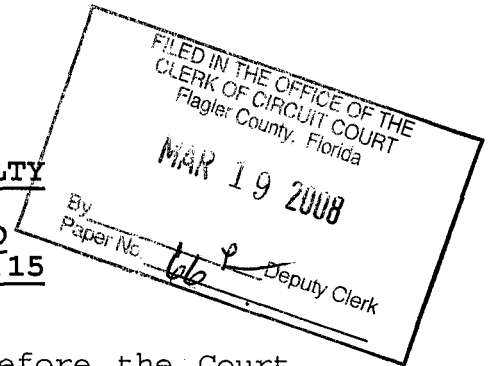
vs.

Case No. 06-00034-CFA

RICHARD FRIZZI DUNN,

Defendant.

ORDER OF ADJUDICATION OF NOT GUILTY
BY REASON OF INSANITY AND
ORDER OF COMMITMENT PURSUANT TO
FLA.R.CRIM.P. 3.217 AND F.S. 916.15



THIS CAUSE having come on to be heard before the Court,
without a jury, this 19th day of March, 2008, and the Court
having considered the stipulations, having considered all
evidence, and having heard arguments of counsel for the State
and defense and having reviewed the evidence in this cause,
makes the following:

Findings of Fact

1. The Defendant, RICHARD FRIZZI DUNN, having been
advised and understanding that he has a right to a jury trial,
has waived his right to a jury trial and has consented, in
writing, to be tried by the Court without a jury.

2. That the State of Florida has consented to try this
cause before the Court without a jury.

3. That the Defendant, RICHARD FRIZZI DUNN, has raised
as a defense to said charges that fact that he was insane at
the time of the commission of said acts; therefore, "Not Guilty
by Reason of Insanity."



4. That State of Florida and the Defendant have filed a Joint Stipulation of Facts and Evidence and the court has reviewed and considered the matters contained therein in its entirety, including all medical records and psychiatric evaluations and reports.

5. That the Defendant, RICHARD FRIZZI DUNN, and the State of Florida have stipulated that the Defendant, RICHARD FRIZZI DUNN, did commit the offense Second Degree Murder, a life offense, as alleged in Count I of the Information filed in this case.

6. That the Defendant, RICHARD FRIZZI DUNN, suffers from Schizophrenia of the Paranoid Type and is likely to suffer from this disorder for the foreseeable future. The Defendant has a repetitive history of non-compliance with taking his prescribed medication for his mental disorder and becoming violent. The Defendant's compliance with taking his prescribed medication is of extreme importance to controlling the Defendant's behavior.

When the Defendant does not take his medication he can become delusional and verbalize persecutory ideas than can lead to violent action. The Defendant is resistant to accepting his mental illness. The Defendant constitutes manifest and serious danger to the public and to himself unless he is involuntarily hospitalized.

That the Court after considering all the evidence and argument of counsel concludes as follows:

Conclusions of Law

1. That the Defendant is competent to stand trial.

2. That Defendant, RICHARD FRIZZI DUNN, did commit the did commit the offense of Second Degree Murder, a life offense as alleged in Count I of the Information.

3. That the medical and psychiatric reports and other evidence establish that on January 10 and January 11, 2006, the Defendant, RICHARD FRIZZI DUNN, was suffering from and laboring under such "mental disease or defect" to-wit, Schizophrenia of the Paranoid Type, that he lacked substantial capacity either to appreciate the wrongfulness of his conduct or to conform to the requirements of law.

4. That this Court finds from the evidence that the mental illness from which the Defendant, RICHARD FRIZZI DUNN, suffers cause him to manifestly dangerous to the peace and safety of other people and to himself, and that he should not be allowed to go at large.

It is, therefore,

ORDERED and ADJUDGED as follows:

1. That the Defendant, RICHARD FRIZZI DUNN, is found to be not guilty by reason of insanity of the crime of Second Degree Murder, a life offense, as charged in Count I of the Information.

2. That the Defendant, RICHARD FRIZZI DUNN, is hereby committed to the Department of Children and Family Services of the State of Florida for involuntary hospitalization and

treatment in a mental health facility.

3. That the clerk of this Court is directed to forthwith forward a certified copy of this Order and the Stipulation of Facts and Evidence filed herein along with copies of any written reports submitted to the Court by experts relating to the issues of insanity and need for hospitalization and treatment; copies of any other psychiatric, psychological or social work reports submitted to the Court relative to the mental state of the Defendant; and a copy of the charging document and all supporting affidavits or other documents used in the determination of probable cause to:

FORENSIC PROGRAMS COORDINATOR
DEPARTMENT OF CHILDREN AND FAMILY SERVICES
MENTAL HEALTH PROGRAM OFFICE
1317 WINEWOOD BLVD.
BUILDING 6
TALLAHASSEE, FL 32399-0700

4. That upon notification of an available bed space by the Department of Children and Family Services of the State of Florida, the Sheriff of Flagler County shall, on the date specified, forthwith transport and deliver the Defendant to the treatment facility designated by the Department, together with a certified copy of this Order and the other documentation outlined in paragraph 3 above.

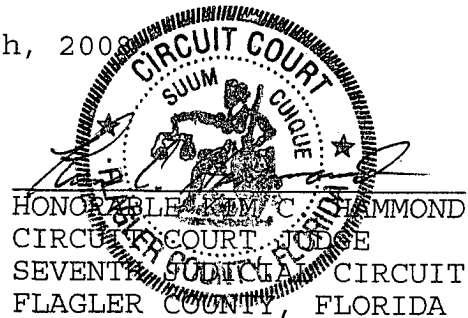
5. That the Department of Children and Family Services of the State of Florida, through the Administrator of the facility to which the Defendant is admitted, shall report directly to this Court, with copies to the attorneys for the

State and the Defense on the issues of the need for continued commitment as provided in Fla. R. Crim. P. 3.218 and F.S. 916.15.

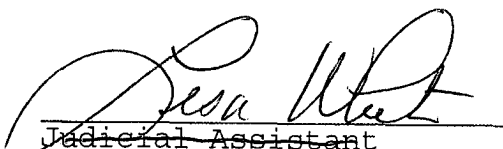
6. That in the event the Defendant's presence is required at any further hearing in this cause, this Court will issue an Order to Transport, directing the Sheriff of Flagler County, or his designee, to resume custody of and transport the Defendant back to the jurisdiction of this court.

7. Pursuant to F.S. 916.16 this Court retains jurisdiction in this cause, and the Defendant shall not be discharged or released from commitment to the Department of Children and Family Services of the State of Florida without further order of this Court.

DONE AND ORDERED in Chambers at Bunnell, Flagler County, Florida, this 19 day of March, 2008.



I HEREBY CERTIFY that copies of the foregoing have been furnished to Michael H. Lambert, Esq., Attorney for Defendant, 629 North Peninsula Dr., Daytona Beach, Florida 32118; Stephen M. Nelson, Asst. State Attorney, 1769 E. Moody Blvd., Bldg. 1 - Third Floor, Bunnell, Florida 32110; Honorable Donald Fleming, Sheriff of Flagler County, 1001 Justice Lane, Bunnell, Florida 32110, and to Ms. Rita Watson, Forensic Programs, Dept. of Children and Family Services, Mental Health Program Office, 1317 Winewood Blvd., Bldg. 6, Tallahassee, FL 32399-0700, this 19th day of March, 2008.


Judicial Assistant

Deputy Clerk