

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CRIMINAL MINUTES - GENERAL

Case No.	SACR 08-0180-DOC	Date	February 11, 2014
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Present: The Honorable	David O. Carter, U.S. District Judge
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Interpreter	None
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Julie Barrera <i>Deputy Clerk</i>	Not Reported <i>Court Reporter</i>	Lawrence Kole, Not Present <i>Assistant U.S. Attorney</i>
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<u>U.S.A. v. Defendant(s):</u>	<u>Present</u>	<u>Cust.</u>	<u>Bond</u>	<u>Attorneys for Defendants:</u>	<u>Present</u>	<u>App.</u>	<u>Ret.</u>
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3) IRENE PIMKOVA	Not	X	Diane Bass, CJA	Not	X
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Proceedings: (IN CHAMBERS) ORDER GRANTING EXTENSION FOR EVALUATION

On January 13, 2014, the Court issued an order remanding Ms. Pimkova to the custody of the Attorney General for thirty days for the purpose of conducting competency evaluation pursuant to 18 U.S.C. § 4241(a), (b). *See* Minutes (Dkt. 214). Ms. Pimkova's thirty days therefore comes to a close tomorrow, Wednesday, February 12, 2014.

The Court received today a letter dated January 30, 2014, from the Acting Warden of Metropolitan Detention Center. The letter did not reach the clerk's office until February 10, 2014, for reasons currently unknown to the Court. The letter requests a 15-day extension of Ms. Pimkova's commitment period pursuant to 18 U.S.C. § 4247(b). The letter states the extension is necessary to complete the testing and examination necessary for the evaluation. The Court construes this letter as a motion for a 15-day extension.

The letter further requests that Ms. Pimkova's thirty-day period be counted from the date she was "designated" at MDC: January 24, 2014. The letter states that the evaluation is anticipated to be completed on March 10, 2014, and a report will be sent to the Court on or before March 31, 2014.

The Court hereby finds good showing that additional time is necessary, and that fifteen days is reasonable, and therefore GRANTS the warden's motion. The Court denies the request to count the commitment period from the date of "designation," however. There is no allowance in the statute for counting the period from any time other than the date of remand. The timing of this motion is such, however, that the Court has not had the opportunity to solicit objections from either party. Therefore, the Court grants the parties until **Friday, February 14, 2014 at 5:00 p.m.** to file any objections. Should the Court find this initial ruling is in error, an earlier release date will be ordered.

Based on the foregoing, the warden's request for a fifteen-day extension is granted, but shall be counted from

