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Attorneys for Defendant

**IN THE FIFTH DISTRICT COURT
WASHINGTON COUNTY, STATE OF UTAH**

STATE OF UTAH,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER RE
COMPETENCY**

Case No. 061500526

Judge James L. Shumate

This matter came before the Court pursuant to the Petition for Inquiry into the Competency of Defendant previously filed with this Court. This Court, having reviewed the competency evaluations completed by Tim Kockler, Ph.D. and Eric Nielsen, Ph.D., and pursuant to the Stipulation of counsel, now enters the following Findings of Fact, Conclusions of Law, and Order concerning the Defendant's competency to stand trial.

FINDINGS OF FACT

1. This Court finds that the Defendant Warren Steed Jeffs does not suffer from a substantial mental illness.
2. This Court finds that the Defendant has the present capacity to comprehend and appreciate the seriousness of the charges and the allegations against him.
3. This Court finds that the Defendant has the present capacity to disclose pertinent facts, events, states of mind to defense counsel with respect to the alleged offenses.
4. This Court finds the Defendant has the present capacity to comprehend and appreciate the range and nature of possible penalties that may be imposed in the proceeding against him.
5. This Court finds that the Defendant has the present capacity to engage in reasoned choice of legal strategies and options. He is capable of weighing alternatives and exercising reasonable judgment and evaluating those judgments.
6. This Court finds the Defendant has the present capacity to understand the adversarial nature of the proceedings against him. He understands that the State will attempt to obtain his conviction for being an accomplice to rape on two separate counts.
7. This Court finds that the Defendant is unlikely to be disruptive, and instead will manifest appropriate court room behavior.
8. This Court finds that the Defendant has the present capacity to testify relevantly.

9. This Court finds that the Defendant will have no problem cooperating with his defense lawyers.

CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, this Court concludes by a preponderance of the evidence, that the Defendant, Warren Steed Jeffs, is currently competent to stand trial.

1. The Defendant has a factual understanding of the proceedings against him.

2. The Defendant has a rational understanding of the proceedings against him.

3. The Defendant has a factual and rational understanding of the punishment specified for the offenses as charged.

4. The Defendant does not suffer from a mental disorder or substantial mental illness.

5. The Defendant has the present ability and desire to consult with and cooperate with his defense counsel and participate in the proceedings against him with a reasonable degree of rational understanding.

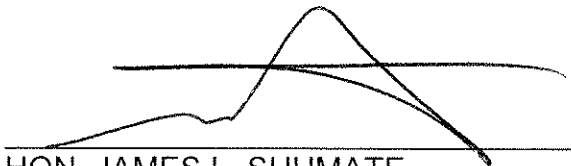
BASED UPON the foregoing Conclusions of Law, the Court now enters the following:

ORDER

The Defendant is competent to proceed to trial.

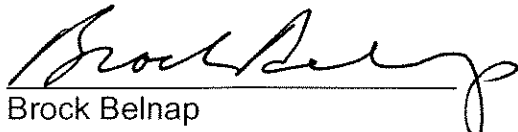
DATED this 25 day of May, 2007.

BY THE COURT:



HON. JAMES L. SHUMATE

Approved as to form:



Brock Belnap
Washington County Attorney

CLERK'S CERTIFICATE OF SERVICE

I hereby certify that, on the ___ day of May, 2007, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Brock R. Belnap
Washington County Attorney
178 North 200 East
St. George, UT 84770

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