

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA     §  
   §  
v.   §     Criminal Action No. H-09-342  
   §  
ROBERT ALLEN STANFORD                     §

ORDER

Pursuant to an Order for Psychiatric Evaluation entered by this Court on January 26, 2011, Robert Allen Stanford, lead defendant in this case, is receiving medical and psychiatric treatment to restore his competency at the Federal Medical Center in Butner, North Carolina (“FMC”). The FMC mental health faculty has treated Stanford for approximately four months, but has notified this Court that it does not believe Stanford is yet competent to stand trial as required by federal statute and case law. *See, e.g.*, 18 U.S.C. § 4241(d); *Dusky v. United States*, 362 U.S. 402, 402–03 (1960) (per curiam). FMC now requests up to four additional months to continue to treat, evaluate, and complete further testing on Stanford as authorized by 18 U.S.C. § 4241(d)(2)(A).

On May 10, 2011, the Court entered a scheduling order setting Stanford’s jury trial to begin on September 12, 2011.<sup>1</sup> However, the Court now finds it has

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<sup>1</sup>On June 18, 2009, a federal grand jury charged Stanford and his co-defendants by indictment with, *inter alia*, money laundering. After finding he was a flight risk, the Court revoked his bond and Stanford was taken into federal pre-trial custody where he remains. On May 4, 2011, the Government filed a superceding indictment. Thereafter, the Court issued a scheduling order.

no alternative but to grant FMC's request for an additional four months to continue treating Stanford; thus, the Court hereby must withdraw its September 2011 trial setting.<sup>2</sup> Assuming FMC needs the entire four months to treat Stanford, the Court now sets Stanford's jury trial to commence January 2012. If the psychiatrists and staff at FMC determine Stanford is competent to stand trial before the additional four months expire, the Court will reset the trial to commence on an earlier date in accord with Stanford's return to Houston. Accordingly, the Court hereby

ORDERS that Stanford may remain under the supervision of FMC to continue treatment for his current mental condition for up to four additional months. The Court further

ORDERS that Stanford's jury trial will commence January 2012.<sup>3</sup> The Court further

ORDERS that the Motion to Stay or Vacate Scheduling Order and For Stay of Proceedings (Document No. 435) is GRANTED to the extent that it vacates the scheduling order, but DENIED to the extent he moves for a stay of proceedings. The Court again

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<sup>2</sup>The Court hereby vacates the Scheduling Order entered on May 10, 2011 (Document No. 427). This ruling in effect grants in part Stanford's Motion to Stay or Vacate Scheduling Order and For Stay of Proceedings (Document No. 435).

<sup>3</sup>A detailed Scheduling Order will be forthcoming.

ADMONISHES the attorneys representing the Government and Stanford to diligently prepare this case to proceed to trial notwithstanding Stanford's absence.

SIGNED at Houston, Texas, on this 21 day of June, 2011.

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

DAVID HITTNER  
United States District Judge