

SAMPLE FORM 42.
**MOTION TO HOLD AFTER VERDICT OF
NOT GUILTY BY REASON OF MENTAL DISEASE OR DEFECT
PENDING COMMITMENT HEARING**

State of Alabama

v.

Defendant

Case Number

STATE OF ALABAMA

In the _____ Court of
_____ County

Comes the State of Alabama and states to the Court that the above-named defendant has been found not guilty by reason of mental disease or defect or not guilty and not guilty by reason of mental disease or defect as to the criminal charge(s) of _____ contained in this cause. The State avers that there is probable cause to believe that the said defendant is mentally ill and that defendant's being at large poses a real and substantial threat of harm to the defendant or to others as evidenced by:

_____.

The State moves the Court to find that there is probable cause to hold the defendant within the jurisdiction of the Court until a hearing can be held under Rule 25.3, Alabama Rules of Criminal Procedure.

Date

District Attorney

Rule 25.2