

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 12-40129-JAR
)	
JAMES D. GARRETT, III,)	
)	
Defendant.)	
_____)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Fourteen days having passed, and no written objections being filed to the proposed findings and recommendations filed by Magistrate Judge K. Gary Sebelius pursuant to Fed. R. Crim. P. 59(a), the Court accepts the recommended decision and adopts it as its own.

IT IS THEREFORE ORDERED that pursuant to 18 U.S.C. § 4241(d)(1) and (2), Mr. Garrett be remanded to the custody of the Attorney General and be placed in a federal treatment facility for restoration of competency measures. It is further recommended that the federal treatment facility provide a report to the court within thirty (30) days of Mr. Garrett's placement regarding the defendant's competence to proceed with trial..

IT IS SO ORDERED.

Dated: January 2, 2013

S/ Julie A. Robinson

JULIE A. ROBINSON

UNITED STATES DISTRICT JUDGE