

**MINUTES OF THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA**

UNITED STATES OF AMERICA v. WILLIAM S. BIGLEY

3:07-MJ-00192-JDR

**THE HONORABLE DEBORAH M. SMITH, United States Magistrate Judge**

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**MINUTE ORDER FROM CHAMBERS**

The defendant William S. Bigley appeared Sept. 20, 2007 for arraignment on a criminal complaint alleging creation of a nuisance; unreasonable obstruction of entrances and offices and disruption of the performance of official duties by government employees. He appeared incoherent and disruptive at the time of arraignment. He was nonresponsive to inquiries from the Court and appeared unable to consult with counsel. It was necessary to have Mr. Bigley removed from the courtroom. It was not possible to complete arraignment. Based upon the defendant's criminal history, conduct at the time of the offense as described in the complaint and conduct at the time of the arraignment, it appears no condition of release will insure Mr. Bigley's appearance at subsequent court proceedings and insure there is no risk to the public pending trial. I order his detention and placement into the custody of the U.S. Marshals Service.

Mr. Hugh Fleischer accepted the appointment as counsel to represent Mr. Bigley pursuant to the Criminal Justice Act. The CJA Administrator is directed to formalize the appointment.

A joint motion to determine the mental competency of Mr. Bigley pursuant to 18 U.S.C. §4241 was made by government counsel and defense counsel. Based upon the defendant's history and observation of his conduct and affect during the court hearing, there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The motion for psychiatric examination to determine the mental competency is granted pursuant to 18 U.S.C. §4241 and §4247(b) and (c). Mr. Bigley is remanded to the Alaska Psychiatric Institute or other suitable facility closest to the Court for a period not to exceed 30 days for the purpose of examination. Upon receipt of the examination report, a hearing to determine mental competency will be scheduled.

Defense counsel is directed to notify the Court as soon as the defendant's condition sufficiently improves to enable the completion of the arraignment, even if the psychiatric examination has not yet been completed.

**Entered at the direction of the Honorable Deborah M. Smith, United States Magistrate Judge**

September 20, 2007

Any request for other information or for clarification, modification, or reconsideration of this Order, or for extension of time must be made as a motion. See FED.R.CIV.P. 7(b)(1); D.Ak.LR. 7.1(1). No one should telephone, fax or write to chambers regarding pending cases. The magistrate judge's judicial assistant and/or law clerk are not permitted to discuss any aspect of this case, provide any information or communicate with any person including litigants, lawyers, witnesses and the public regarding cases.