

NO. _____

THE STATE OF TEXAS	§	IN THE PROBATE COURT
FOR THE BEST INTEREST	§	
AND PROTECTION OF	§	NUMBER _____
	§	
<u>W.W.</u> §		
AS A MENTALLY ILL PERSON	§	TARRANT COUNTY, TEXAS

APPLICATION FOR ORDER TO ADMINISTER PSYCHOACTIVE MEDICATION – FORENSIC

TO THE HONORABLE JUDGE OF SAID COURT:

Sandy Le, M.D. (Applicant), files this application, pursuant to Texas Health & Safety Code §574.104, requesting an order to authorize the administration of psychoactive medication to William Winslow (Patient) and respectfully shows that:

I.

Patient is subject to an order, dated December 27th, 2016, for court-ordered mental health services issued under (select one):

- Chapter 46B (Incompetence to Stand Trial) Code of Criminal Procedure
- Chapter 46C (Not Guilty by Reason of Insanity) Code of Criminal Procedure
- Chapter 55, Family Code.

Patient verbally, or by other indication, refuses to take the medication voluntarily.

II.

Applicant has diagnosed Patient with the following mental disorder or mental defect:

Psychotic Disorder Not Otherwise Specified

III.

Applicant has determined that administration of the following classes of psychoactive medication marked with an "X" is the proper and customary course of treatment for and in the best interest of Patient:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Antidepressants | <input checked="" type="checkbox"/> Antipsychotics |
| <input checked="" type="checkbox"/> Anxiolytics/sedatives/hypnotics | <input checked="" type="checkbox"/> Mood stabilizers |
| <input type="checkbox"/> Monoamine oxidase inhibitors | <input type="checkbox"/> Stimulants |

A list of medications within each class as determined by the Department of State Health Services is attached as Exhibit "A".

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IV.

The customary and proposed methods for administering the medications are intramuscular injections and oral medications including liquids, pills, tablets, capsules, or dissolving tablets. Applicant will administer the medications in the customary and proposed methods described herein.

V.

Patient presents a danger to Patient or others in the mental health facility, based on the following behavior and/or statements by Patient:

Patient has been charged with the criminal offense of Aggravated Assault with Deadly Weapon.

VI.

Applicant believes Patient lacks the capacity to make a decision regarding administration of psychoactive medication for the following reasons:

Patient does not believe that he has a mental illness or that he needs to take medications.

VII.

Applicant believes that if Patient is treated with the classes of psychoactive medication, specified in paragraph III above, Patient's prognosis is:

He will show improvement in symptoms, and it is more likely that he will be able to regain competency stand trial.

VIII.

Applicant believes that if Patient is not administered the classes of psychoactive medication, specified in paragraph III above, the consequences will be:

Continuation of psychotic symptoms, and he will remain incompetent to stand trial for pending criminal charges.

IX.

Applicant believes: (1) there are no alternative, less intrusive treatments other than treatment with psychoactive medications; (2) there are no alternative, less intrusive treatments that are likely to produce the same results as treatment with psychoactive medications; (3) there are no less intrusive treatments likely to secure the Patient's agreement to take the psychoactive medications; and (4) the benefits of psychoactive medication outweigh the risks of such medication in relation to Patient's present medical condition.

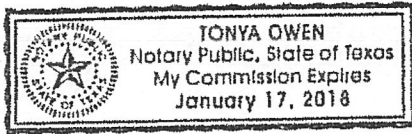
WHEREFORE, Applicant requests that the Court, upon hearing, enter an order, pursuant to Texas Health & Safety Code §§574.106 and 574.1065, authorizing the administration of the classes of psychoactive medication specified in paragraph III of this Application to Patient in the customary and proposed method, regardless of Patient's refusal.

Signed and dated this the 22nd day of September, 2017.

Sandy Le, M.D.
Applicant/Physician

Sandy Le, M.D.
Typed or printed name

Sworn to and subscribed before me this 22 day of September, 2017.



Tonya Owen
Notary Public, State of Texas
My Commission Expires: January 17, 2018

CAUSE NO. 2017-MH03886-2

THE STATE OF TEXAS FOR THE	§	IN THE PROBATE COURT NO. 2
BEST INTEREST AND PROTECTION OF	§	OF
<u>W.W.</u>	§	TARRANT COUNTY, TEXAS
AS A MENTALLY ILL PERSON	§	

**NOTICE OF HEARING ON APPLICATION FOR
ORDER TO AUTHORIZE CUSTOMARY ADMINISTRATION OF
PSYCHOACTIVE MEDICATION-FORENSIC**

TO: WILLIAM MAVERICK WINSLOW

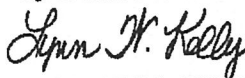
You are hereby notified that pursuant to an Application for Order to Authorize Customary Administration of Psychoactive Medication, a copy of which is attached to this Notice, a hearing will be held on the **3RD DAY OF OCTOBER, 2017, at 1:00 P.M., in PROBATE COURT NO. 2, at 100 W. WEATHERFORD ST. RM. 135 FORT WORTH, TX 76196, in TARRANT COUNTY, TEXAS,** to determine whether or not you lack the capacity to make a decision regarding administration of psychoactive medication and whether treatment with the proposed medication, as set forth in the Application, is in your best interest.

You have the right to be present, but your presence may be waived by you or your attorney. The hearing on the Application may be held on the date of a hearing on an Application for Court-Ordered Mental Health Services under the Texas Health and Safety Code 574.034 or 574.035 if applicable but shall be held not later than 30 days after the filing of the application for the order to authorize psychoactive medication.

You are advised that **ANGELA NICOLE BASKERVILLE**, attorney at law, whose telephone number is **940-552-9811**, has been appointed to represent you, however, you may obtain your own counsel at your own expense. You may consult with your attorney concerning the Application and your rights in this case.

SIGNED on this the 26TH DAY OF SEPTEMBER, 2017.

Signed: 9/26/2017 09:50 AM



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OCTOBER 2, 2017



TEXAS
Health and Human
Services

NORTH TEXAS STATE HOSPITAL
James E. Smith, LCSW, DCSW
Superintendent

Vernon Campus
P.O. Box 2231
Vernon, TX 76385
(940) 552-4000

Charles Smith
Executive Commissioner
Wichita Falls Campus
P. O. Box 300
Wichita Falls, TX 76308
(940) 689-5213

RETURN OF CITATION/SERVICE ON PROPOSED PATIENT

ORDER APPOINTING ATTORNEY ON PETITION TO ADMINISTER
PSYCHOACTIVE MEDICATION, SETTING HEARING, AND FOR NOTICE.

Received the 29 day of September 2017.

Executed the 29 day of September 2017.

TO: William Winslow

You are hereby notified that pursuant to a Petition for Order to Administer Psychoactive Medication, a copy of which you are being served, a Hearing has been scheduled in Probate Court at Vernon, Wilbarger County, Texas, to determine whether or not you lack the capacity to make a decision regarding administration of psychoactive medication and whether treatment with the proposed medication, as set forth in the Petition, is in your best interest.

EXECUTED ON
OCT. 2, 2017

W. M. Winslow, DSS, U.S. ARMY ACS
DEPARTMENT OF THE ARMY
I.D. NO. EU15565 CAGE 99994

Client Signature

Linda Walker

Staff member

CAUSE NO. 2017-MH03886-2

THE STATE OF TEXAS FOR THE	§	IN THE PROBATE COURT NO. 2
BEST INTEREST AND PROTECTION OF	§	OF
<u>W.W.</u>	§	TARRANT COUNTY, TEXAS
AS A MENTALLY ILL PERSON	§	

**ORDER APPOINTING ATTORNEY ON APPLICATION FOR ORDER TO
 AUTHORIZE CUSTOMARY ADMINISTRATION OF PSYCHOACTIVE MEDICATION,
 SETTING HEARING, AND FOR NOTICE-FORENSIC**

On this, the 26TH DAY OF SEPTEMBER, 2017, it having been called to the attention of the Court that an Application for Order to Authorize Customary Administration of Psychoactive Medication for WILLIAM MAVERICK WINSLOW, hereafter called "the Patient," has been filed in the above-referenced cause,

IT IS THEREFORE ORDERED:

1. That ANGELA NICOLE BASKERVILLE, whose telephone number is 940-552-9811, is appointed Attorney to represent the Patient; that said attorney shall be furnished with all records and papers, and shall have access to all hospital and doctors' records in said cause, and that, to ensure effective communication between said attorney and the Patient, any necessary interpreters be likewise appointed.

2. That said Application be and the same is hereby set for hearing at 1:00 P.M., on the 3RD DAY OF OCTOBER, 2017, at 100 W. WEATHERFORD ST. RM. 135 FORT WORTH, TX 76196, in TARRANT COUNTY, TEXAS.

3. That the Superintendent or authorized designated personnel of North Texas State Hospital shall personally serve upon said Patient, who may be found at North Texas State Hospital, a copy of the Application for Order to Authorize Customary Administration of Psychoactive Medication and the Notice of Hearing on Application for Order to Authorize Customary Administration of Psychoactive Medication within a reasonable period of time prior to the time of the hearing, and make due return to the Court, showing how they were executed.

SIGNED on this the 26TH DAY OF SEPTEMBER, 2017.

Signed: 9/26/2017 09:50 AM

Synn K. Kelly

JUDGE PRESIDING

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NO. 2017-MH03886-2

THE STATE OF TEXAS
FOR THE BEST INTEREST
AND PROTECTION OF
W.W.,
AS A MENTALLY ILL PERSON

§
§
§
§
§

IN THE

PROBATE COURT NO. 2

TARRANT COUNTY, TEXAS

**ORDER FOR CUSTOMARY ADMINISTRATION
OF PSYCHOACTIVE MEDICATION - FORENSIC**

On the 3rd day of October, 2017, came to be heard the Application for Order to Administer Psychoactive Medication in the above styled cause, alleging that WILLIAM MAVERICK WINSLOW, hereinafter called Patient, is subject to an order from a criminal court for court-ordered inpatient mental health services, dated December 27, 2016, and both the attorney for the State and the attorney for the Patient having announced ready, and all matters of fact and law were submitted to the Court, and the Court finds:

That on file in this cause is a signed and sworn Application for Order to Administer Psychoactive Medication by Patient's physician who has examined Patient and that all necessary notices and copies of the Application have been served as required by law and that all of the terms and provisions of the Texas Mental Health Code have been complied with;

That after considering all of the evidence, including the competent expert medical or psychiatric testimony, that the allegations of the Application are true and correct and are supported by clear and convincing evidence that (i) Patient is subject to an order from a criminal court for inpatient mental health services, (ii) Patient is refusing to take the medication voluntarily, (iii) Patient is in need of psychoactive medication but lacks the capacity to make a decision regarding administration of said medication, (iv) it is in Patient's best interest to receive psychoactive medication and the medication is the proper course of treatment, and (v) Patient presents a danger to Patient or others in the inpatient mental health facility as a result of a mental disorder or mental defect as determined by §574.1065 of the Texas Mental Health Code, and that the medications shall be ordered.

The Court relied on the following evidence: judicial notice of criminal court's order for inpatient mental health services, judicial notice of the punishment range for the criminal charge, testimony of physician, and other _____, and makes its determination for the following reasons:

- the patient is a danger to the patient or others in the inpatient mental health facility, is refusing to take the medications voluntarily, that treatment is in the best medical interest of the patient, and there are no less intrusive, effective treatment alternatives
- the patient lacks the capacity to make treatment decisions, is refusing to take the medications voluntarily, that treatment is in the best medical interest of the patient, and there are no less intrusive, effective treatment alternatives
- the state has an important interest in the restoration of the patient's competence to stand trial, that the medications are substantially likely to restore the patient's competence to

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BY: [Signature] SM

stand trial and are substantially unlikely to have side effects that may undermine a fair trial, that alternative, less intrusive treatments are unlikely to achieve the same results, and that treatment is in the patient's best medical interest.

Accordingly, it is ORDERED pursuant to Texas Health & Safety Code 574.106, that the physicians and medical staff at the **NORTH TEXAS STATE HOSPITAL-VERNON CAMPUS**, and if returned to the correctional facility to await trial, the physicians and medical staff at the **TARRANT COUNTY CORRECTIONS CENTER**, are authorized to administer and monitor by customary methods utilizing the prevailing standard of medical care to the Patient the following class(es) of psychoactive medication, and it is further ORDERED that if the medications are administered by the physicians and staff at the **TARRANT COUNTY CORRECTIONS CENTER** that law enforcement is authorized to use reasonable restraint in the administration and monitoring of the medication to ensure the safety of the Patient and those administering and monitoring the medications:

- | | |
|---|---|
| <input checked="" type="checkbox"/> antidepressants | <input type="checkbox"/> monoamine oxidase inhibitors |
| <input checked="" type="checkbox"/> antipsychotics | <input checked="" type="checkbox"/> mood stabilizers |
| <input checked="" type="checkbox"/> anxiolytics/sedatives/hypnotics | <input type="checkbox"/> stimulants |

A list of medications within each class as determined by the Texas Department of Mental Health and Mental Retardation is attached as Exhibit "A".

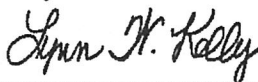
It is also ORDERED that during the period this Order is valid, the dosage of the herein authorized class(es) of psychoactive medication can be increased or decreased, and restitution of medication authorized but discontinued and the substitution of a medication within the same class(es) are permitted.

This Order expires on the earliest of the following dates: the 180th day after the date Patient is returned to the correctional facility, the date Patient is acquitted, convicted, or enters a plea of guilty, or the date on which the criminal charge in this case is dismissed.

A copy of this Order to the Patient and the Patient's attorney shall serve as written notification of the court's determination.

SIGNED 3RD DAY OF OCTOBER, 2017.

Signed: 10/3/2017 04:28 PM



JUDGE PRESIDING



Run Date: 10/05/2017 7:50:20AM

Page 1 of 1

North Texas State Hospital

Client Profile - Order Details

Client Name: WINSLOW, WILLIAM MAVE Client ID: 130822 Current Unit: SPRUCE

Gender: Male Facility Chart #: 65678272

Client Race: WHITE

Date of Birth: 8/7/1960

Height: 5 9.0 ft in (Recorded on 9/14/2017)

Client Age: 57

Weight: 144.0 lbs (Recorded on 9/30/2017)



Allergies / Hypersensitivities	Status	Date Recognized	Severity	Reactions	Comments
No Known Allergies (NKA)	Reported	01/07/2010	Unknown~INACT		
No Known Drug Allergies (NKDA)	Reported	09/14/2017	No Reaction		

Medical Condition	Status	Date Recognized	Date Resolved	Resolved Reason
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Order	Order#	Ordering Practitioner	Order Status	Action & Acknowledgement Hx
Date	Time			Order Details Fill Details
10/5/2017	05:17 AM	2216347 (075520) LE, THU T MD	Active	

Order Type: Pharmacy Noncontrolled

Order Category: Other Order

Order Description: OLANZAPINE (ZYPREXA) INTRAMUSCULAR

If patient refuses po Zyprexa, please administer Zyprexa IM per refusal
10 MG INTRAMUSCULAR SOLUTION
As Needed

Reason: Other - court order

Start Date/Time: 10/5/2017 05:17 AM

Stop Date/Time: ** Open-Ended **

Entry By: LE THU T MD

Last Action Taken: Create New Order

Exhibit 2 - FISA - 9

**CLASSES OF PSYCHOACTIVE MEDICATIONS AS DETERMINED
BY THE DEPARTMENT OF STATE HEALTH SERVICES**

ANTIDEPRESSANTS

amitriptyline (Elavil)
amoxapine (Asendin)
bupropion (Wellbutrin, Wellbutrin SR & XL)
citalopram (Celexa)
clomipramine (Anafranil)
desipramine (Norpramin, Pertofran)
doxepin (Sinequan, Adapin)
duloxetine (Cymbalta)
escitalopram (Lexapro)
fluoxetine (Prozac)
fluvoxamine (Luvox)
imipramine (Tofranil)
maprotiline (Ludiomil)
mirtazapine (Remeron, Remeron SolTab)
nortriptyline (Pamelor, Aventyl)
paroxetine (Paxil, Paxil CR)
protriptyline (Vivactil)
sertraline (Zoloft)
trazodone (Desyrel)
venlafaxine (Effexor, Effexor XR)

ANTIPSYCHOTICS

aripiprazole (Abilify)
chlorpromazine (Thorazine)
clozapine (Clozaril, Fazaclo)
fluphenazine (Prolixin)
fluphenazine decanoate (Prolixin D)
haloperidol (Haldol)
haloperidol decanoate (Haldol D)
loxapine (Loxitane)
mesoridazine (Serentil)
molindone (Moban)
olanzapine (Zyprexa, Zyprexa Zydis)
paliperidone (Invega)
perphenazine (Trilafon)
quetiapine (Seroquel)
risperidone (Risperidal, Risperidal M-tab)
risperidone (Risperidal Consta)
thioridazine (Mellaril)
thiothixene (Navane)
trifluoperazine (Stelazine)
ziprasidone (Geodon)

ANXIOLYTICS/SEDATIVES/HYPNOTICS

alprazolam (Xanax, Xanax XR)
amobartibal (Amytal)
buspirone (Buspar)
chloral hydrate (Noctec)
chlordiazepoxide (Librium)
clonazepam (Klonopin)
clorazepate (Tranxene)
diazepam (Valium)
diphenhydramine (Benedryl)
lorazepam (Dalmane)
hydroxyzine (Vistaril)
lorazepam (Ativan)
midazolam (Versad)
oxazepam (Serax)
pentobarbital (Nembutal)
phenobarbital (Luminal)
prazepam (Centrax)
temazepam (Restoril)
triazolam (Halcion)
zaleplon (Sonata)
zolpidem (Ambien, Ambien CR)

MONOAMINE OXIDASE INHIBITORS

phenelzine (Nardil)
tranylcypromine (Parnate)

MOOD STABILIZERS

carbamazepine (Tegretol, Tegretol XR,
Carbatrol, Equetro)
divalproex sodium (Depakote, Depakote ER)
lamotrigine (Lamictal)
lithium carbonate (Eskalith, Eskalith CR,
Lithobid)
oxcarbazepine (Trileptal)
topiramate (Topamax)
valproic acid (Depakene)

STIMULANTS

amphetamine mixture (Adderall, Adderall XR)
dextroamphetamine (Dexedrine, Dextrostat)
methylphenidate (Ritalin, Ritalin SR,
Concerta, Metadate, Focalin, Focalin XR)

NOTE: Medications listed within these classes are not all inclusive. Other medications may be used as psychoactive medication when clinically indicated.