

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>UNITED STATES OF AMERICA</b>	:	
	:	
<b>v.</b>	:	<b>Case No. 5:22-cr-6 (TES)</b>
	:	
<b>BENJAMIN LUOPA,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER ON COMPETENCY TO STAND TRIAL**

Defendant Benjamin Luopa appeared on May 15, 2023, with counsel, for a hearing to determine his mental competence to stand trial, pursuant to 18 U.S.C. § 4247(d). By order of the Court dated November 18, 2022 (Doc. 282), Defendant was committed to the custody of the Attorney General and was subsequently referred to the Federal Detention Center in Seattle, Washington, for purposes of psychological evaluation. Following that evaluation, a written Forensic Evaluation was prepared and submitted to the Court for review. Doc. 367. The Evaluation concludes that Defendant is not currently suffering from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

At the hearing, Defendant was afforded an opportunity to raise any objections to the evaluation and to testify or present any additional evidence in relation to his mental competency. Neither Defendant nor the Government expressed any objections to the written evaluation. Based on that evaluation, the Court finds by a preponderance of the evidence that Defendant is not currently suffering from a mental disease or defect that would render him mentally incompetent to the extent that he would be unable to understand the nature of the proceedings against him or to assist properly in his defense. In the absence of any evidence of such mental disease or defect,

Defendant is competent to proceed with his defense and to participate in a trial or any other proceedings necessary for the resolution of this case.

**SO ORDERED**, this the 17th day of May, 2023.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge