

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2006*

**EUGENE DOUSE, JR.,**  
Petitioner,

v.

**RIC L. BRADSHAW,** Palm Beach County Sheriff,  
Respondent.

No. 4D06-2064

[September 20, 2006]

PER CURIAM.

We grant the petition for writ of habeas corpus for the same reasons expressed in our opinion in *Douse v. State*, 930 So. 2d 838 (Fla. 4th DCA 2006), with the same instructions contained in that opinion:

We therefore grant the writ to the extent of requiring an immediate hearing for the trial judge to select the appropriate section 916.17(2) option. While it may be advisable to have defendant evaluated once again for competency under section 916.12(2), the previous evaluating doctors both opined that this defendant was in need of treatment available only through commitment. We leave it up to the trial judge to decide whether to proceed on the current record or to order new evaluations.

We are aware that the trial court complied with this court's direction in *Douse v. State*, 930 So. 2d 838 (Fla. 4th DCA 2006), as outlined in our order of June 29, 2006, disposing of Douse's petition in Case No. 4D06-2464.

GUNTHER, FARMER and KLEIN, JJ., concur.

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Petition for writ of habeas corpus to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Richard I. Wennet, Judge; L.T.

Case No. 06-5540 CFA02.

Carey Haughwout, Public Defender, Daniel Cohen and Jennifer Marshall, Assistant Public Defenders, West Palm Beach, for petitioner.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Monique E. L'Italien, Assistant Attorney General, West Palm Beach, for respondent.