

STATE OF WISCONSIN

CIRCUIT COURT  
BRANCH II

BROWN COUNTY 2022CF000363

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STATE OF WISCONSIN,

Plaintiff,

vs.

CASE NO. 22-CF-363

TAYLOR D. SCHABBUSINESS,

Defendant.

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**MOTION FOR NEW COMPETENCY EVALUATION**

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**TO: BROWN COUNTY DISTRICT ATTORNEY**

**PLEASE TAKE NOTICE THAT** the defendant, Taylor D. Schabusiness, appearing by and through her attorney, Christopher T. Froelich, in this action, and reserving her right to challenge the Court's jurisdiction, moves the Court to **(1) have a new competency evaluation ordered of the defendant by the Wisconsin Forensic Unit.**

This motion is brought pursuant to Wis. Stats. 971.10(3); and the 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution; and article I, sections 5, 6, 7 and 8 of the Wisconsin Constitution.

**AS GROUNDS**, the defendant asserts:

1. There was a competency evaluation completed and a report was filed by Dr. Matthew Seipel on November 18, 2022. This evaluation is no longer current.
2. The defendant was the subject of a 6-month civil commitment order in 2021 where she was at the Brown County Community Treatment Center from March 22, 2021 to April 12, 2021.
3. The defense counsel has concerns that the defendant may have been suffering from a mental breakdown or other mental defect before and after the alleged incident on February 23, 2022. The defense has concerns about the defendant's ability to be able to assist in her own defense at this time.
4. Defense counsel questions whether this defendant has the substantial mental capacity to understand the proceedings or to assist in her own defense at this time. The defense has concerns about whether the defendant is competent to proceed and the defense is seeking a new competency evaluation of the defendant, Taylor D. Schabusiness.

5. The defendant requests that the Court order a new competency evaluation. The defense asks that the Wisconsin Forensic Unit be assigned to conduct a new evaluation of this defendant forthwith.
6. The defense has received an NGI evaluation from Dr. Diane Lytton, Ph.D. dated July 3, 2023. Dr. Lytton opines that Taylor D. Schabusiness is not competent to proceed to trial. Defense counsel asks the Court to cancel the jury trial set for July 24, 2023 and order up a new independent competency evaluation forthwith.

Dated at Green Bay, Wisconsin, this 3rd day of July, 2023.

**FROELICH LAW OFFICES, LLC**

By: 

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Christopher T. Froelich (#01000834)  
Attorney for Defendant

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