



physically and mentally well. The attorney for the government and defendant's attorney represented that they had no doubt regarding defendant's competency to enter a plea. Defendant was alert and responded cogently to each of the questions posed to him during the plea colloquy. He similarly addressed the court cogently and coherently at his sentencing proceedings.

The court assumes that someone with seven prior felony convictions, including one for a drive-by shooting in which three persons were struck, may have anti-social tendencies and poor impulse control. This does not, however, constitute reasonable cause to believe that this or a similarly situated defendant is suffering from the type of mental defect or disease contemplated by § 4241(a). Indeed, defendant does not even aver that he suffered from such a defect or disease. Rather, he appears to believe that competency examinations are routinely required. In any event, he makes absolutely no showing that the court or anyone else in the process should have questioned his legal competency.

**ACCORDINGLY**, this                    day of September, 1998, upon consideration of defendant's Motion to Determine Competency (Doc. #48) and the government's response thereto, **IT IS HEREBY ORDERED** that said Motion is **DENIED**.

**BY THE COURT:**

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**JAY C. WALDMAN, J.**

