

U.S. magistrate says Holderman needs another competency hearing

ASSOCIATED PRESS

COLUMBIA — Former University of South Carolina President James Holderman will face another competency hearing next week, a federal magistrate says.

U.S. Magistrate Bristow Marchant ordered the hearing late Friday. It will be at 9:30 a.m. Tuesday before U.S.

District Judge Joe Anderson.

Marchant previously had denied prosecutors' request for a psychiatric evaluation to determine Holderman's competency to stand trial, saying there was not enough evidence showing his mental problems.

But two Probate Court-appointed mental examiners said on March 22 that Holderman's mental illness caused

him to spend himself into bankruptcy and give statements that led to his indictments.

Associate Probate Judge James Bridges appointed William A. Lawler, a management supervisor, as Holderman's conservator. Lawler was ordered to assess Holderman's financial situation and file a report within 30 days.

"There is sufficient evidence before the court to show reasonable cause to believe that the defendant may be presently suffering from a mental disease or defect," Marchant wrote.

Because of Holderman's questionable mental condition, Marchant entered an innocent plea for him April 2 to nine counts of bankruptcy fraud and one count of money laundering. Holderman

earlier refused a plea agreement.

Holderman was diagnosed in 1990 as being manic depressive. Defense attorney Joe McCulloch said Holderman is competent to stand trial but suffers from diminished mental capacity.


Prosecutors have said Holderman's lawyers might use an insanity defense, and they want him evaluated at a

federal prison in North Carolina.

Marchant ruled last month, however, that Holderman could get a proper evaluation outside prison, and he said prosecutors did not dispute the qualifications or impartiality of experts that defense attorneys suggested.

The case is set to go to trial May 6, but it probably will be delayed.


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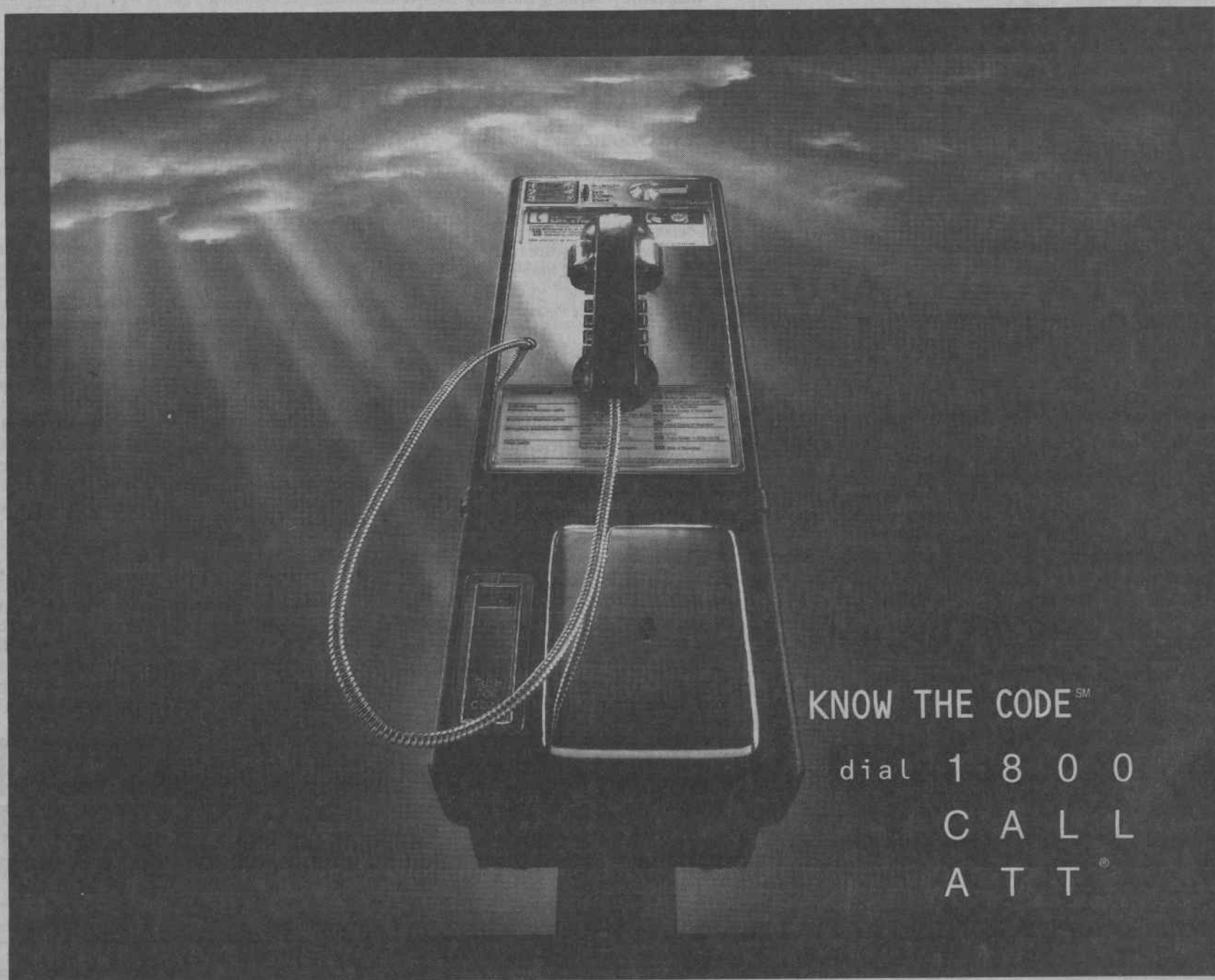
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