

COMMONWEALTH OF MASSACHUSETTS
SUPERIOR COURT DEPARTMENT

PLYMOUTH, ss.

PLYMOUTH COUNTY DIVISION
Docket No.

_____,)	
Petitioner)	
v.)	APPLICATION FOR DISCHARGE AND
)	REVOCATION OF TREATMENT ORDER
Bridgewater State Hospital,)	PURSUANT TO G.L. c. 123, § 9(b)
Respondent)	
)	

_____, PETITIONER, a patient of the Bridgewater State Hospital, hereby asserts:

1. That he is confined at said hospital for a period not to exceed twelve (12) months, pursuant to G.L. c. 123, § 8, by Order of the Brockton District Court, dated on or about December 6, 2000.
2. That he is currently undergoing treatment with antipsychotic medication against his will, pursuant to the provisions of G.L. c. 123, § 8B, by Order of said District Court, also dated on or about December 6, 2000.
3. That his situation has significantly changed since said Orders were entered so as to justify his discharge and termination of treatment. *Andrews, petitioner*, 449 Mass. 587 (2007).
4. That his continued confinement is improper, unnecessary and clinically inappropriate.
5. That he is not mentally ill, as defined at 104 CMR §27.05(1).
6. That his discharge will not create a likelihood of serious harm by reason of mental illness, as defined at G.L. c. 123, § 1.
7. That there exists a setting less restrictive of his liberty at which he could be appropriately and safely treated. *See Commonwealth v. Nassar*, 380 Mass. 908 (1980).

8. That, in the alternative, he is a proper subject for commitment to a facility of the Department of Mental Health in that he is not in need of the strict custody of the Bridgewater State Hospital. G.L. c. 123, § 8(b).
9. That he is able to make informed decisions in respect to medical treatment, in general, and to treatment with antipsychotic medication, in particular.
10. That he is indigent pursuant to Rule 3:10, § 1(f)(iii) of the Rules of the Supreme Judicial Court, as affirmed in his Affidavit of Indigency filed herewith.

Wherefor, PETITIONER hereby petitions this Court, pursuant to G.L. c. 123, § 9(b), as follows:

1. That said order of commitment be vacated and that PETITIONER be discharged from said hospital forthwith.
2. That this Application for Discharge be marked for hearing forthwith.
3. That a writ of habeas corpus be issued and that PETITIONER be brought to said hearing pursuant thereto.

The following person is interested in this action:

Superintendent,
Bridgewater State Hospital
20 Administration Road
Bridgewater, MA 02324

(date)

Respectfully submitted,

, Petitioner
By his attorney,

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