

NOTICE OF REQUEST FOR WRIT OF HABEAS CORPUS

(Rev. 05/23)

Confidential Patient Information
See Welfare & Institutions Code
Sections 5275 & 5328 and Penal
Code 11142

HIPAA Privacy Rule
45 C.F.R. § 164.508

TO: OFFICE OF THE SAN DIEGO COUNTY PRIMARY PUBLIC DEFENDER
405 B STREET, SUITE 900, SAN DIEGO, CA 92101, **FAX: (858) 999-8936**

On _____, I, _____, received a
Date of request Staff person or interested third party
request for release from _____ / _____ who is being
Name of patient DOB – if available
detained at _____ for intensive treatment pursuant to the
Name of treatment facility

following section of the Welfare and Institutions Code (check one):

- 5150 (72-hour hold)
- 5250 (14-day hold)
- 5260 (second 14-day hold, DTS only)
- 5270.10 (30-day holds, GD only)
- 5300 (180-day hold, DTO only)
- 5352.1 (temporary conservatorship)
- 5350 (conservatorship)
- AB 2275
- Other (specify): _____

The person has been informed of his/her right to counsel. The person has requested the appointment of the Public Defender or other Attorney to assist him/her in preparation of a petition for a writ of habeas corpus pursuant to Section 5275 of the Welfare and Institutions Code.

Date: _____
Signature of staff person or interested third party

Date: _____
Signature of Patient making request for release (not required)

The Public Defender will call the treatment facility to provide notice of the hearing date, time, and location.

The Public Defender should call _____ at _____.
Name of staff person Phone number for staff person

CAUTION

Any person who intentionally violates the provisions of Section 5275 requiring a staff member to notify the Superior Court of having received a request for release is guilty of a misdemeanor. See California Welfare and Institutions Code Section 5275 for additional information and requirements.

Copies: Person Certified - Personally delivered
Public Defender
Facility Providing Intensive Treatment
Patient's Medical Record

DTO = Danger to Others
DTS = Danger to Self
GD = Grave Disability