

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of T. B.,
a Person Alleged to have Mental Illness.

STATE OF OREGON,
Respondent,

v.

T. B.,
Appellant.

Marion County Circuit Court
19CC03345; A172954

Heidi O Strauch, Judge pro tempore.

Submitted May 1, 2020.

Joseph R. DeBin and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Rebecca M. Auten, Assistant Attorney General, filed the brief for respondent.

Before DeVore, Presiding Judge, and DeHoog, Judge, and Mooney, Judge.

PER CURIAM

Reversed.

PER CURIAM

Appellant seeks reversal of a judgment continuing her commitment to the Oregon Health Authority for a period not to exceed 180 days. ORS 426.307. Appellant contends that the trial court erred because the record does not contain clear and convincing evidence that, due to a mental disorder, she was unable to provide for her basic needs. ORS 426.005(1)(f)(B). The state concedes that the evidence is legally insufficient to support appellant's continued commitment and that the judgment should be reversed. We agree, accept the state's concession, and reverse the judgment of continued commitment.

Reversed.