

FILED: April 25, 2012

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of M. M.,
Alleged to be a Mentally Ill Person.

STATE OF OREGON,
Respondent,

v.

M. M.,
Appellant.

Umatilla County Circuit Court
MC040020I

A145690

Jeffrey M. Wallace, Judge.

Submitted on March 02, 2012.

Michael Breiling filed the brief for appellant.

John R. Kroger, Attorney General, Anna M. Joyce, Solicitor General, and Laura S. Anderson, Senior Assistant Attorney General, filed the brief for respondent.

Before Schuman, Presiding Judge, and Wollheim, Judge, and Nakamoto, Judge.

PER CURIAM

Reversed.

1 PER CURIAM

2 Appellant seeks reversal of a judgment committing him as a mentally ill
3 person for a period not to exceed 180 days. ORS 426.130. Appellant argues that the
4 record does not establish by clear and convincing evidence that he is a danger to others or
5 unable to provide for his basic needs because of a mental disorder. *See* ORS
6 426.005(1)(e). The state concedes that the evidence is legally insufficient for involuntary
7 commitment and that the judgment should be reversed. We agree, accept the state's
8 concession, and reverse.

9 Reversed.