

FILED: May 30, 2013

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

VERN EMERSON LARRANCE,
Defendant-Appellant.

Lane County Circuit Court
211017325

A147376

Jack A. Billings, Judge.

Submitted on April 25, 2013.

Peter Gartlan, Chief Defender, and Stephanie J. Hortsch, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

John R. Kroger, Attorney General, Anna M. Joyce, Solicitor General, and Jennifer S. Lloyd, Attorney-in-Charge, Criminal Appeals, filed the brief for respondent.

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

PER CURIAM

Reversed and remanded with instructions to enter judgment finding defendant in contempt of court.

1 PER CURIAM

2 Defendant was found in contempt of court for having violated a restraining
3 order, and the trial court then entered a judgment stating that defendant was “convicted”
4 of violating the order. The court later entered an amended judgment that changed the
5 caption of the judgment to "general judgment for contempt," but the body of the
6 judgment still reflected that defendant was “convicted” of a crime. On appeal, defendant
7 argues that, notwithstanding the change to the caption, the judgment erroneously reflects
8 that he was convicted of a crime when, in fact, he was not. *See J. L. J. v. Jung*, 255 Or
9 App 507, 508, 296 P3d 1287 (2013) (reversing judgment that "erroneously states that [the
10 defendant] was 'convicted' of contempt" and remanding "for the trial court to enter a
11 judgment that instead makes clear that defendant was found in contempt of court"). We
12 agree with defendant that the judgment erroneously states that he was convicted of the
13 crime of contempt, and we reverse and remand for the trial court to enter a judgment that
14 instead makes clear that defendant was found in contempt of court.

15 Reversed and remanded with instructions to enter judgment finding
16 defendant in contempt of court.