

IN THE COURT OF APPEALS OF THE STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

J. U.,
Appellant.

Jackson County Circuit Court
12566MC

A152136

G. Philip Arnold, Judge.

Submitted on February 01, 2013.

Garrett A. Richardson and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Cecil A. Reniche-Smith, Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Nakamoto, Judge, and Egan, Judge.

PER CURIAM

Reversed.

1 PER CURIAM

2 Appellant seeks reversal of an order committing him as a mentally ill
3 person for a period not to exceed 180 days. ORS 426.130. In his second assignment of
4 error, he contends that the state failed to prove, by clear and convincing evidence, that, as
5 the result of a mental disorder, he is dangerous to himself or others. ORS
6 426.005(1)(e)(A). The state concedes that the evidence is legally insufficient to support
7 the involuntary commitment and that the order should be reversed. We agree, accept the
8 state's concession, and reverse on that basis. Accordingly, we do not address appellant's
9 other assignment of error, in which he argues that the trial court erred in not advising him
10 of all of the potential consequences of the civil commitment proceeding as required by
11 ORS 426.100(1).

12 Reversed.