

FILED: May 22, 2013

IN THE COURT OF APPEALS OF THE STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

J. V. S.,
Appellant.

Multnomah County Circuit Court
120970239

A152704

Connie L. Isgro, Judge pro tempore.

Submitted on April 05, 2013.

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

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Inge D. Wells, Senior Assistant Attorney General, argued the cause for respondent.

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

PER CURIAM

Reversed.

1 PER CURIAM

2 Appellant seeks reversal of a judgment committing her as a mentally ill
3 person for a period not to exceed 60 days. ORS 426.130. She asserts that the state failed
4 to prove, by clear and convincing evidence, that, because of a mental disorder, she is
5 unable to provide for her basic personal needs. ORS 426.005(1)(e)(B). The state
6 concedes that the evidence is legally insufficient to support the involuntary commitment
7 and that the judgment should be reversed. We agree, accept the state's concession, and
8 reverse on that basis. Accordingly, we do not address appellant's other, unpreserved
9 assignment of error, in which she contends that the trial court erred in failing to advise
10 her of the possible results of the commitment proceeding, as required by ORS
11 426.100(1)(c).

12 Reversed.