

FILED: December 18, 2013

IN THE COURT OF APPEALS OF THE STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

H. M. T.,
Appellant.

Washington County Circuit Court
C130048MC

A154917

James Lee Fun, Jr., Judge.

Submitted on November 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 Kathleen Cegla, Senior Assistant Attorney General, filed the brief for respondent.

Before Schuman, Presiding Judge, and Wollheim, Judge, and Duncan, 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 180 days. ORS 426.130. Appellant argues that,
4 contrary to the trial court's ruling, the record does not establish by clear and convincing
5 evidence that, because of a mental disorder, she is unable to provide for her basic
6 personal needs and is not receiving the care necessary for her health or safety. *See* ORS
7 426.005(1)(e). The state concedes that the evidence is legally insufficient for involuntary
8 commitment and that the judgment should be reversed. We agree, accept the state's
9 concession, and reverse.

10 Reversed.