

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

MICHAEL ALAN WISNIEWSKI,)	
)	
Appellant,)	
v.)	Case No. 2D00-1537
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed October 12, 2001.

Appeal from the Circuit Court for DeSoto
County; James S. Parker, Judge.

James Marion Moorman, Public Defender,
and Deborah K. Brueckheimer, Assistant
Public Defender, Bartow, for Appellant.

Robert A. Butterworth, Attorney General,
Tallahassee, and Helene S. Parnes,
Assistant Attorney General, Tampa, for
Appellee.

CASANUEVA, Acting Chief Judge.

Michael Wisniewski has appealed from an order entered on February 4,
2000, which continued his commitment after he was found not guilty by reason of insanity
for the 1994 murder of his teenage son. For commitment to be continued pursuant to

section 916.15(1), Florida Statutes (1999), the court must find that the defendant is mentally ill and is manifestly dangerous to himself or to others. Although the circuit court made a reasoned examination of these criteria in the hearing on this matter, the court's order is deficient in failing to include findings. See Mannarelli v. State, 767 So. 2d 480 (Fla. 4th DCA 2000). The State has conceded that the order is facially insufficient. Accordingly, we reverse and remand for the trial court to issue a new order including statutorily required findings.¹

SILBERMAN, J., and CAMPBELL, MONTEREY, (SENIOR) JUDGE, Concur.

¹ We note that Mr. Wisniewski has filed a new appeal in this court, No. 2D01-4073, in which he challenges a subsequent order dated June 29, 2001, that continued his commitment and authorized treatment at a forensic facility. This court cannot consider the sufficiency of that order at this time; but, in any event, the subsequent order does not render moot the need for the trial court to articulate its findings in the order under review in this appeal.