

Filed 10/29/19 by Clerk of Supreme Court

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2019 ND 253

In the Interest of D.V.A.

Julie Lawyer, State's Attorney,

Petitioner and Appellee

v.

D.V.A.,

Respondent and Appellant

No. 20190118

Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable James S. Hill, Judge.

AFFIRMED.

Per Curiam.

Marina Spahr (on brief), Assistant State's Attorney, Bismarck, ND, for petitioner and appellee.

Kent M. Morrow (on brief), Bismarck, ND, for respondent and appellant.

**Interest of D.V.A.
No. 20190118**

Per Curiam.

[¶1] D.V.A. appealed from a district court order denying his petition for discharge from civil commitment as a sexually dangerous individual. D.V.A. argues there was not clear and convincing evidence that he continues to be a sexually dangerous individual under N.D.C.C. § 25-03.3-01(8) or that he has “serious difficulty controlling behavior.” *See Kansas v. Crane*, 534 U.S. 407, 412-13 (2002). We conclude the district court’s findings of fact and order are supported by clear and convincing evidence, and we summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Gerald W. VandeWalle, C.J.
Jon J. Jensen
Jerod E. Tufte
Daniel J. Crothers
Lisa Fair McEvers