

**FILED: April 30, 2014**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,  
Plaintiff-Respondent,

v.

JAMES ALLEN JARVIS,  
Defendant-Appellant.

Marion County Circuit Court  
11C44863

A151429

Vance D. Day, Judge.

Argued and submitted on March 25, 2014.

Emily P. Seltzer, Deputy Public Defender, argued the cause for appellant. With her on the brief was Peter Gartlan, Chief Defender, Office of Public Defense Services.

Leigh A. Salmon, Assistant Attorney General, argued the cause for respondent. With her on the brief were Ellen F. Rosenblum, Attorney General, and Anna M. Joyce, Solicitor General.

Before Sercombe, Presiding Judge, and Hadlock, Judge, and Tookey, Judge.

PER CURIAM

Reversed and remanded. *State v. Hall*, 339 Or 7, 115 P3d 908 (2005); *State v. Stookey*, 255 Or App 489, 297 P3d 548 (2013).