

**FILED: November 19, 2014**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of R. J. H., Alleged to be a Mentally Ill Person.

STATE OF OREGON,  
Respondent,

v.

R. J. H.,  
Appellant.

Union County Circuit Court  
13071753

A154873

Stephen N. Tiktin, Senior Judge.

Submitted on October 03, 2014.

Victoria K. Moffet filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Carson L. Whitehead, Assistant Attorney General, filed the brief for respondent.

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

PER CURIAM

Reversed.

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**DESIGNATION OF PREVAILING PARTY AND AWARD OF COSTS**

Prevailing party: Appellant

- No costs allowed.  
 Costs allowed, payable by  
 Costs allowed, to abide the outcome on remand, payable by
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1                   PER CURIAM

2                   Appellant seeks reversal of an order committing him for a period not to  
3 exceed 180 days. ORS 426.130. He contends that the trial court erred in concluding that,  
4 as a result of a mental disorder, he is a danger to others. *See* ORS 426.005(1)(e). The  
5 state concedes that the record does not contain legally sufficient evidence to support the  
6 involuntary commitment and that the trial court's order should be reversed. We agree,  
7 and accept the state's concession.

8                   Reversed.