

**FILED: August 20, 2014**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of J. L. A., Alleged to be a Mentally Ill Person.

STATE OF OREGON,  
Respondent,

v.

J. L. A.,  
Appellant.

Clackamas County Circuit Court  
M1311004

A155795

Kenneth B. Stewart, Judge.

Submitted on July 07, 2014.

Gay Canaday filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Inge D. Wells, Assistant Attorney-in-Charge, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Nakamoto, Judge, and Egan, 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 a judgment committing him for a period not to  
3 exceed 180 days. ORS 426.130. He argues that, contrary to the trial court's ruling, the  
4 record does not establish by clear and convincing evidence that he is a danger to himself.  
5 *See* ORS 426.005(1)(e). The state concedes that the evidence is legally insufficient to  
6 support the involuntary commitment and that the judgment cannot stand. We agree,  
7 accept the state's concession, and reverse.

8                   Reversed.