

FILED: September 4, 2014

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of D. K.,
Alleged to be a Mentally Ill Person.

STATE OF OREGON,
Respondent,

v.

D. K.,
Appellant.

Lincoln County Circuit Court
134205

A156070

Thomas O. Branford, Judge.

Submitted on June 06, 2014.

Garrett A. Richardson, and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Rebecca M. Auten, Assistant Attorney General, filed the brief for respondent.

Before Ortega, Presiding Judge, and DeVore, Judge, and Garrett, Judge.

PER CURIAM

Reversed.

1 PER CURIAM

2 Appellant seeks reversal of a judgment committing her for a period not to
3 exceed 180 days pursuant to ORS 426.130. Appellant argues that, contrary to the trial
4 court's ruling, the record does not establish by clear and convincing evidence that she is a
5 danger to herself and unable to provide for her basic needs because of a mental disorder.
6 *See* ORS 426.005(1)(e)(A), (B). The state concedes that the evidence is legally
7 insufficient for involuntary commitment under either basis and that the judgment should
8 be reversed. We agree, accept the state's concession, and reverse.¹

9 Reversed.

¹ Our disposition obviates the need to address appellant's other assignment of error.