

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

STATE OF OREGON,  
*Plaintiff-Respondent,*

*v.*

TYLER SCOTT KINSTLER,  
*Defendant-Appellant.*

Washington County Circuit Court  
17CR45757; A167035

Beth L. Roberts, Judge.

Submitted August 9, 2019.

Ernest G. Lannet, Chief Defender, Criminal Appellate Section, and Sarah De La Cruz, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Jeff J. Payne, Assistant Attorney General, filed the brief for respondent.

Before Lagesen, Presiding Judge, and Powers, Judge, and Kistler, Senior Judge.

PER CURIAM

Affirmed. *State v. Payne (A166061)*, 298 Or App 438, \_\_\_ P3d \_\_\_ (2019).