

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of A. M.,  
a Person Alleged to have Mental Illness.

STATE OF OREGON,  
*Respondent,*

*v.*

A. M.,  
*Appellant.*

Douglas County Circuit Court  
18CC02851; A168008

Jason R. Thomas, Judge pro tempore.

Submitted December 7, 2018.

Joseph R. DeBin and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Rolf C. Moan, Assistant Attorney General, filed the brief for respondent.

Before Ortega, Presiding Judge, and Egan, Chief Judge, and Powers, Judge.

PER CURIAM

Reversed.

**PER CURIAM**

Appellant seeks reversal of a judgment committing him to the Mental Health Division for a period not to exceed 180 days. ORS 426.130. In his second assignment of error, appellant contends that the trial court erred because the record does not contain clear and convincing evidence that appellant is a “person with mental illness.” ORS 426.005 (1)(f). The state concedes that the evidence is legally insufficient to support appellant’s commitment and that the judgment should be reversed. We agree, accept the state’s concession, and reverse the judgment of commitment. Based on that disposition, we do not reach appellant’s first assignment of error.

Reversed.