

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of D. G.,  
a Person Alleged to have Mental Illness.

STATE OF OREGON,  
*Respondent,*

*v.*

D. G.,  
*Appellant.*

Marion County Circuit Court  
18CC01771; A169118

Janet A. Klapstein, Judge pro tempore.

Submitted April 5, 2019.

Alexander C. Cambier and Multnomah Defenders, Inc.,  
filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin  
Gutman, Solicitor General, and Cecil A. Reniche-Smith,  
Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Tookey, Judge,  
and Shorr, Judge.

PER CURIAM

Reversed.

**PER CURIAM**

Appellant seeks reversal of a judgment continuing his commitment to the Oregon Health Authority for a period not to exceed 180 days. ORS 426.307. Appellant contends that the trial court erred because the record does not contain clear and convincing evidence that appellant continues to be a person with a mental illness who is in need of further treatment. *Id.*; ORS 426.005(1)(f) (defining “person with mental illness”). The state concedes that the evidence is legally insufficient to support appellant’s continued commitment and that the judgment should be reversed. We agree, accept the state’s concession, and reverse the judgment of continued commitment.

Reversed.