

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of N. H.,  
a Person Alleged to have Mental Illness.

STATE OF OREGON,  
*Respondent,*

*v.*

N. H.,  
*Appellant.*

Marion County Circuit Court  
18CC02710; A169596

Michael Newman, Senior Judge.

Submitted July 5, 2019.

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

Ellen F. Rosenblum, Attorney General, Benjamin Gutman,  
Solicitor General, and Patrick M. Ebbett, Assistant Attorney  
General, filed the brief for respondent.

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

PER CURIAM

Reversed.

**PER CURIAM**

Appellant challenges the order continuing appellant's commitment to the Oregon Health Authority for a period not to exceed 180 days. ORS 426.301; ORS 426.303; ORS 426.307. Appellant contends that the trial court erred because the record lacks clear and convincing evidence that appellant continues to be a person with a mental illness who is in need of further treatment. ORS 426.307; ORS 426.005(1)(f) (defining "person with mental illness"). The state concedes that the evidence was legally insufficient to support appellant's continued commitment and that the order should be reversed. We agree and accept the state's concession. Consequently, we reverse the order of continued commitment.

Reversed.