

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

STATE OF OREGON,  
*Plaintiff-Respondent,*

*v.*

PABLO E. MENDOZA-LOPEZ,  
*Defendant-Appellant.*

Marion County Circuit Court  
15CR06590; A170449

STATE OF OREGON,  
*Plaintiff-Respondent,*

*v.*

PABLO ENRIQUE MENDOZA-LOPEZ,  
*Defendant-Appellant.*

Marion County Circuit Court  
13C46615; A170450

Courtland Geyer, Judge.

Submitted June 5, 2020.

Jedediah Peterson and O'Connor Weber, LLC, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Peenesh Shah, Assistant Attorney General, filed the brief for respondent.

Before DeVore, Presiding Judge, and DeHoog, Judge, and Mooney, Judge.

PER CURIAM

In Case Nos. 15CR06590 and 13C46615, reversed and remanded.

**PER CURIAM**

In these two cases, consolidated for opinion, defendant was convicted by nonunanimous jury verdicts of two counts of first-degree unlawful sexual penetration and three counts of first-degree sexual abuse concerning one child, and another two counts of first-degree unlawful sexual penetration and three counts of first-degree sexual abuse concerning a second child. ORS 163.411; ORS 163.427. He raises several assignments of error concerning jury instructions, and also argues that the trial court erred in instructing the jury that its verdicts need not be unanimous and in accepting nonunanimous verdicts on all of the counts.

In *Ramos v. Louisiana*, \_\_\_ US \_\_\_, 140 S Ct 1390, 206 L Ed 2d 583 (2020), the United States Supreme Court concluded that nonunanimous jury verdicts violated the Sixth Amendment. The state concedes that the trial court's acceptance of nonunanimous verdicts in this case constitutes reversible error as to all of defendant's convictions. We agree and accept the state's concession. Our disposition obviates the need to address defendant's remaining arguments.

In Case Nos. 15CR06590 and 13C46615, reversed and remanded.