

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of R. I. O.,
a Person Alleged to have Mental Illness.

STATE OF OREGON,
Respondent,

v.

R. I. O.,
Appellant.

Lane County Circuit Court
19CC06437; A172947

Maurice K. Merten, Judge.

Submitted May 1, 2020.

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

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

Before Ortega, Presiding Judge, and Shorr, Judge, and Powers, Judge.

PER CURIAM

Reversed.

PER CURIAM

Appellant seeks reversal of a judgment committing him to the custody of the Oregon Health Authority for a period not to exceed 180 days. ORS 426.130. Appellant contends that the state failed to prove by clear and convincing evidence that, because of a mental disorder, he is dangerous to others. ORS 426.005(1)(f)(A). The state concedes that the evidence is legally insufficient to support appellant's involuntary commitment and that the judgment should be reversed. We agree, accept the state's concession, and reverse the judgment of commitment.

Reversed.