

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of B. F.,
a Person Alleged to have Mental Illness.

STATE OF OREGON,
Respondent,

v.

B. F.,
Appellant.

Multnomah County Circuit Court
20CC02749; A174078

Monica M. Herranz, Judge pro tempore.

Submitted November 9, 2020.

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

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

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

PER CURIAM

Reversed.

PER CURIAM

The trial court committed appellant to the custody of the Mental Health Division for a period not to exceed 180 days based on a determination that he was a danger to others, and entered an order prohibiting him from purchasing or possessing firearms. ORS 426.005(1)(f)(A). Appellant contends that the record does not contain clear and convincing evidence to support the court's conclusion that he is a danger to others. The state concedes that the record is legally insufficient in that regard and that the judgment of commitment should be reversed. We agree, accept the state's concession, and reverse the judgment of commitment and the firearms order. *See State v. R. C. S.*, 291 Or App 489, 490, 415 P3d 1164 (2018) (reversing both the order of commitment and the order prohibiting the appellant from purchasing or possessing firearms).

Reversed.