

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

R. A.,
Appellant.

Multnomah County Circuit Court
20CC06957; A175129

Benjamin S. Johnston, Judge pro tempore.

Submitted September 29, 2021.

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

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

Before Lagesen, Presiding Judge, and James, Judge, and
Kamins, Judge.

PER CURIAM

Affirmed.

PER CURIAM

Appellant challenges an order committing him to the custody of the Mental Health Division for 180 days. See ORS 426.130(1)(a)(C) (authorizing the commitment of a “person with mental illness”). He argues that the evidence at the hearing is insufficient to support the finding that he is unable to meet his basic needs. See ORS 426.005(1)(f)(B) (a person has a “mental illness” if, “because of a mental disorder,” they are “unable to provide for basic personal needs that are necessary to avoid serious physical harm in the near future, and [are] not receiving such care as is necessary to avoid such harm”). Because the record contains evidence that appellant’s schizophrenia prevents him from comprehending and managing his chronic osteomyelitis, which caused the recent amputation of seven of his toes, and that absent commitment he was likely to require additional amputations or face sepsis in the near future, we affirm the trial court’s conclusion that appellant is unable to provide for his basic medical needs. See *State v. M. A. E.*, 299 Or App 231, 240, 448 P3d 656 (2019) (observing that the standard is met if “the person [is] at nonspeculative risk of serious physical harm—meaning that the person’s safe survival will be compromised—in the near future, even though that risk is not imminent”).

Affirmed.