

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

SHAYNA JOY STANFORD,
Defendant-Appellant.

Jackson County Circuit Court
19CR01529; A172968

David G. Hoppe, Judge.

Submitted February 4, 2022.

Shayna Joy Stanford filed the briefs for appellant *pro se*.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Shannon T. Reel, Assistant Attorney General, filed the brief for respondent.

Before Tookey, Presiding Judge, and Egan, Judge, and Kamins, Judge.

PER CURIAM

Convictions on Counts 1 and 5 reversed and remanded; remanded for resentencing; otherwise affirmed.

PER CURIAM

Defendant was convicted after jury trial by nonunanimous verdicts of attempting to elude a police officer (Count 1) and resisting arrest (Count 5); she was convicted by unanimous verdicts of another count of attempting to elude a police officer (Count 2), driving under the influence of intoxicants (Count 3), and menacing (Count 4). On appeal, she raises five assignments of error, one of which is that the trial court erred in instructing the jury it could reach nonunanimous verdicts and accepting nonunanimous verdicts on Counts 1 and 5. The state concedes, and we agree, that the trial court erred in giving a nonunanimous jury instruction and in accepting nonunanimous jury verdicts on Counts 1 and 5, *Ramos v. Louisiana*, 590 US ___, 140 S Ct 1390, 206 L Ed 2d 583 (2020) (Sixth Amendment requires that the jury be unanimous to convict a criminal defendant of a serious offense), necessitating reversal and remand of those convictions. We reject defendant's remaining assignments of error without discussion.

Convictions on Counts 1 and 5 reversed and remanded; remanded for resentencing; otherwise affirmed.