

FILED: September 8, 2011

IN THE COURT OF APPEALS OF THE STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

CHRISTOPHER ERIC JORGENSEN,
Defendant-Appellant.

Josephine County Circuit Court
07CR0779

A142742

Lindi L. Baker, Judge.

Submitted on August 05, 2011.

Peter Gartlan, Chief Defender, and David O. Ferry, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

John R. Kroger, Attorney General, Mary H. Williams, Solicitor General, and Douglas F. Zier, Assistant Attorney General, filed the brief for respondent.

Before Ortega, Presiding Judge, and Brewer, Chief Judge, and Sercombe, Judge.

PER CURIAM

Reversed and remanded.

1 PER CURIAM

2 Defendant appeals from convictions for manufacture of methamphetamine,
3 ORS 475.886, delivery of methamphetamine, ORS 475.890, and possession of
4 methamphetamine, ORS 475.894. He asserts that the trial court erred in denying his
5 motion to suppress evidence discovered as a result of the removal of a console located
6 between the front seats of his vehicle. According to defendant, the removal of the
7 console exceeded the scope of a valid inventory search because the area searched was not
8 designed to hold valuables. The state agrees that defendant's motion to suppress should
9 have been granted because the search of the area under the console was not a proper
10 inventory search. We agree and accept the state's concession.

11 Reversed and remanded.