

**FILED: June 6, 2012**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of D. U.,  
Alleged to be a Mentally Ill Person.

STATE OF OREGON,  
Respondent,

v.

D. U.,  
Appellant.

Multnomah County Circuit Court  
110362221

A148282

Connie L. Isgro, Judge pro tempore.

Submitted on April 06, 2012.

Rebecca Carter filed the brief for appellant.

John R. Kroger, Attorney General, Anna M. Joyce, Solicitor General, and Greg Rios, Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Brewer, Judge, and Duncan, Judge.

PER CURIAM

Reversed.

1                   PER CURIAM

2                   Appellant in this mental commitment case appeals a judgment committing  
3 him to the Mental Health Division for treatment for a period of time not to exceed 180  
4 days. ORS 426.130. The trial court found that appellant suffers from a mental disorder  
5 and is unable to provide for his basic personal needs. The state concedes that the record  
6 lacks clear and convincing evidence that defendant's mental illness causes him to be  
7 unable to provide for his basic personal needs. We find the state's concession to be well  
8 founded and accept it.

9                   Reversed.