

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-4125

ALEXANDRA P. LIVINGSTON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Alachua County.
Kristine Van Vorst, Judge.

April 30, 2018

PER CURIAM.

Alexandra P. Livingston appeals a commitment order finding that involuntary placement was necessary because, in part, she was incapable of surviving alone due to her mental state. *See* 394.467(1)(a)2.a., Fla. Stat. (2018). She claims that the evidence was inadequate to establish this element. We agree and therefore reverse and order the trial court “to elicit further testimony to establish the statutory criteria, or otherwise order Appellant discharged.” *Blue v. State*, 764 So. 2d 697, 699 (Fla. 1st DCA 2000).

REVERSED and REMANDED.

B.L. THOMAS, C.J., and LEWIS and MAKAR, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Andy Thomas, Public Defender, and Justin F. Karpf, Assistant Public Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Jerod M. Rigoni, Assistant Attorney General, Tallahassee, for Appellee.