

*This opinion is nonprecedential except as provided by
Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A24-0586**

In the Matter of the Civil Commitment of: Angie Samantha Mattinas.

**Filed September 3, 2024
Affirmed
Worke, Judge**

Crow Wing County District Court
File No. 18-PR-24-244

Paul T. Shaffer, Duluth, Minnesota (for appellant)

Keith Ellison, Attorney General, St. Paul, Minnesota; and

Donald F. Ryan, Crow Wing County Attorney, Rockwell J. Wells, Assistant County Attorney, Brainerd, Minnesota (for respondent Crow Wing County Social Services)

Considered and decided by Worke, Presiding Judge; Bjorkman, Judge; and Harris, Judge.

NONPRECEDENTIAL OPINION

WORKE, Judge

Appellant challenges her civil commitment as a person who poses a risk of harm due to mental illness and who is chemically dependent, arguing that the record lacks clear and convincing evidence that she is mentally ill and chemically dependent. We affirm.

FACTS

In late December 2023, appellant Angie Samantha Mattinas’s family brought her to the hospital because she was threatening suicide. Mattinas was uncooperative at the

hospital and had to be restrained. Mattinas threatened to harm staff, displayed mood instability and agitation, and discussed hearing religious messages. When she accepted medication, Mattinas's agitation level was reduced.

In January 2024, respondent Crow Wing County Social Services (the county) arranged for Dr. Sheila Klemmetsen to conduct a prepetition screening interview. Mattinas acknowledged a history of drug and alcohol use. When asked if she had thoughts about harming others, she stated: "It has to happen because of my job. . . . Not everyone is going to want to obey, so they have to go bye-bye, but they will be given a chance first."

Dr. Klemmetsen supported Mattinas's civil commitment. Dr. Klemmetsen noted that Mattinas was exhibiting symptoms of "depression, auditory hallucinations, paranoia, unstable mood, tangential ideas, racing thoughts, and grandiosity that are potentially life-threatening." Mattinas's religious preoccupation and delusions led to homicidal ideation and threats, and she expressed suicidal ideation. On January 19, 2024, the county filed a petition for Mattinas's civil commitment as a mentally ill and chemically dependent person. The district court appointed Dr. Travis Tomford to examine Mattinas.

Dr. Tomford diagnosed Mattinas with unspecified schizophrenia spectrum and other psychotic disorder. Dr. Tomford stated that Mattinas is incapable of managing her personal affairs due to excessive substance use (marijuana, fentanyl and heroin, and methamphetamine), which also poses a substantial likelihood of physical harm to herself and others due to the adverse impact her use has on her mental health. Dr. Tomford opined that Mattinas met the criteria for civil commitment as a person who poses a risk of harm

due to mental illness and as a chemically dependent person. Mattinas requested a second examination.

The district court appointed Dr. Charles Chmielewski. Mattinas told Dr. Chmielewski that she “was spiritually awoken” and applied her “gifts through people.” She stated that she “discovered [her] calling was a higher one.” Mattinas denied having a drug problem. Dr. Chmielewski asked Mattinas “about her threat to ‘kill the entire f-----g white race of people’” while she was in jail in January. Mattinas stated: “I said all of them nasty things about killing people . . . because I’m trying to get us to face our fears. That darkness could be our reality if they keep feeding my dark side.” Mattinas stated that “God work[ed] through [her],” she is “gifted with the 7th sense,” which allows her to “look into our future,” and she can “take us either into the light or the dark [b]ecause [she is] leading society right now.” Dr. Chmielewski opined that Mattinas met the criteria for civil commitment because she struggles “with a very substantial mood and thought disorder consistent with a bipolar illness.”

The district court held a hearing on February 13, 2024. Dr. Tomford testified consistent with his report and recommended full commitment to treat Mattinas. Dr. Chmielewski testified that there is an “abundance of evidence” that Mattinas’s mental illness has manifested in a way that it poses a risk of harm to herself and others and noted that she has been “struggling for a long time” and has a “very long history” with chemical dependence. He testified that Mattinas met the criteria for commitment as someone who is mentally ill and chemically dependent.

Mattinas testified that she suffers from anxiety and posttraumatic stress disorder. She testified that her mental illness has “caused harm to herself and others,” but stated that she has no issues when she takes her medication. Mattinas testified that she should not be committed because the hospital’s statements are false, the jail’s statements are false, and the examiners relied on those false statements.

On February 13, 2024, the district court found that the county established by clear and convincing evidence that Mattinas is a person who poses a risk of harm due to mental illness and is chemically dependent. The district court considered “reasonable alternative dispositions” but found none as a “suitable alternative to judicial commitment at this time.” The district court committed Mattinas to the custody of the Minnesota Commissioner of Human Services for an initial period not to exceed six months. This appeal followed.

DECISION

Mattinas argues that the district court abused its discretion by ordering her civil commitment. Mattinas admits that she has mental-health and chemical-dependency issues but claims that commitment was not warranted. Mattinas seems to contend that her commitment resulted solely from her December 2023 hospitalization. She states that her family “tricked” her into going to the hospital, which angered her, and while her actions were not “helpful,” her reaction was “perfectly reasonable.” She also claims that she is not chemically dependent, and her use has not “risen to the level where she cannot ‘self-manage.’”

In reviewing the district court’s civil-commitment order, we are limited to examining whether the district court complied with the commitment statute and

determining whether the district court’s findings support its conclusions of law. *In re Knops*, 536 N.W.2d 616, 620 (Minn. 1995). We review the record in the light most favorable to the district court’s decision and defer to the district court’s credibility determinations. *Id.* We will affirm the district court’s factual findings unless they are clearly erroneous. *In re Joelson*, 385 N.W.2d 810, 811 (Minn. 1986). A finding is clearly erroneous if it is “manifestly contrary to the weight of the evidence or not reasonably supported by the evidence as a whole.” *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221 (Minn. 2021) (quotation omitted). Whether the district court’s factual findings and the record provide clear-and-convincing evidence to sustain the conclusion that the statutory requirements for commitment were met is a question of law reviewed de novo. *In re Civ. Commitment of Martin*, 661 N.W.2d 632, 638 (Minn. App. 2003), *rev. denied* (Minn. Aug. 5, 2003).

To order the civil commitment of a person who is mentally ill, the district court must “find[] by clear and convincing evidence that the . . . person . . . poses a risk of harm due to mental illness . . . and after careful consideration of reasonable alternative dispositions . . . there is no suitable alternative to judicial commitment.” Minn. Stat. § 253B.09, subd. 1(a) (2022). A “person who poses a risk of harm due to a mental illness” has, in relevant part, a substantial psychiatric disorder and presents a demonstrated substantial likelihood of physical harm to self or others. Minn. Stat. § 253B.02, subd. 17a(a) (2022). A demonstrated likelihood of harm may be evidenced by an “inability for reasons other than indigence to obtain necessary food, clothing, shelter, or medical care as a result of the impairment” and a showing that “it is more probable than not that the person

will suffer substantial harm, significant psychiatric deterioration or debilitation, or serious illness, unless appropriate treatment and services are provided.” *Id.*, subd. 17a(a)(2).

Here, the record supports the district court’s findings that Mattinas meets the statutory criteria for a person who poses a risk of harm due to her mental illness. First, examiners diagnosed Mattinas with a substantial psychiatric disorder. Second, Mattinas has demonstrated the required likelihood of physical harm to herself and others. She is homeless. She has been charged with domestic assault. She assaulted jail staff. And she has threatened suicide and homicide. Importantly, Mattinas admits that her mental illness has “caused harm to herself and others.” She merely claims that if she takes medication, she has no issues, and her behaviors were caused by the jail staff agitating her. But the record shows that Mattinas had problems managing her mental health prior to her most recent incarceration. It appears to be a persistent problem. The district court appropriately ordered Mattinas’s civil commitment as a mentally ill person.

To order the civil commitment of a person who is chemically dependent, the district court must find by clear and convincing evidence that the person is chemically dependent and there is no suitable alternative to commitment. Minn. Stat. § 253B.09, subd. 1(a). A “chemically dependent person” is “incapable of self-management or management of personal affairs by reason of the habitual and excessive [chemical] use . . . and . . . whose recent conduct as a result of habitual and excessive [chemical] use . . . poses a substantial likelihood of physical harm to self or others.” Minn. Stat. § 253B.02, subd. 2 (2022). Self-management refers to “one’s handling of the ordinary occurrences of daily life.” *In re Heurung*, 446 N.W.2d 694, 696 (Minn. App. 1989). “One who ‘self-manages,’ performs

the ordinary activities of daily life, copes with the ordinary stresses of daily life, and independently cares for oneself in the ordinary course of daily life.” *Id.* An individual is not managing when the evidence shows, among other things, that the individual cannot manage his or her chemical use, cannot control his or her anger and aggressive behavior, and has deteriorating health. *In re Galusha*, 372 N.W.2d 843, 847 (Minn. App. 1985).

Here, Mattinas argues that she can self-manage and that those claiming that she cannot manage have a vastly different definition of “self-management” than a person like her who “live[s] at the periphery of ‘polite society.’” This argument does not challenge the district court’s findings about Mattinas’s chemical dependency and use and her resulting harmful behaviors. Rather, she challenges the district court’s determination that her chemical use is excessive. But the record shows that Mattinas has a long history of chemical use. The examiners opined that Mattinas’s chemical use adversely affects her mental health. And based on Mattinas’s lack of control over her agitation, there is no evidence that she can self-manage. The district court appropriately ordered Mattinas’s civil commitment as a chemically dependent person.

Affirmed.