

*This opinion is nonprecedential except as provided by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
A26-0513**

In the Matter of the Civil Commitment of Gregg Michael Dickey.

**Filed August 24, 2026
Affirmed
Ross, Judge**

Douglas County District Court
File No. 21-PR-25-2010

Alexis Madlom, Vickers Law Office, Fargo, North Dakota (for appellant Gregg Michael Dickey)

Chad M. Larson, Douglas County Attorney, Timothy Hochsprung, Assistant County Attorney, Alexandria, Minnesota (for respondent Douglas County Social Services)

Considered and decided by Ross, Presiding Judge; Cochran, Judge; and Florey, Judge.*

NONPRECEDENTIAL OPINION

ROSS, Judge

The district court civilly committed Gregg Dickey as mentally ill and dangerous to the public after receiving physician reports that he is a danger to himself or others and evidence of more than 16 years of violent behavior for which his mental incompetence repeatedly foreclosed criminal prosecution. Dickey challenges the commitment decision by arguing that the district court's findings of his personality disorders are not supported

* Retired judge of the Minnesota Court of Appeals, serving by appointment pursuant to Minn. Const. art. VI, § 10.

by the evidence and that the disorders do not constitute mental illness. He argues alternatively that the evidence does not support the finding that he is a danger to himself or others and that the commitment order lacks adequate findings. We affirm because the district court's findings are sufficient to justify Dickey's civil commitment and the evidence supports the findings.

FACTS

Douglas County petitioned the district court for an order civilly committing Gregg Dickey. The district court conducted an evidentiary hearing and in February 2026 determined that clear and convincing evidence established that Dickey is mentally ill and dangerous, requiring his civil commitment. We summarize the evidence and the district court's findings of fact.

The district court received the opinion reports and testimony of Drs. Jay Lucas and Harlan Gilbertson. Both physicians considered Dickey's extensive history of violent behavior spanning more than 16 years. This behavior resulted in numerous violated protective orders, incarceration for stalking, and more than four assault-based criminal allegations for some of which Dickey avoided prosecution because the court found him incompetent to stand trial. Three recent incidents involved Dickey's allegedly stabbing his own son, firing a gun at a moving car on a street in Alexandria, and brandishing a replica handgun while threatening to "blow [the] head off" the man at whom he was pointing it.

Dr. Lucas, but not Dr. Gilbertson, recommended civil commitment for secure, inpatient treatment. Dr. Lucas had diagnosed Dickey with Antisocial Personality Disorder (ASPD) and Paranoid Personality Disorder (PPD). Although Dr. Gilbertson concluded

both that Dickey “presents a clear danger to the safety of others” and that “[t]here is a substantial likelihood that [he] will engage in acts capable of inflicting serious physical harm on another,” he declined to recommend civil commitment. He did so because he disagreed that ASPD and PPD constituted a substantial psychiatric disorder, explaining that he had “never seen the court commit someone as mentally ill with a personality disorder beyond borderline personality disorder.” He acknowledged that his conclusion rested only on his anecdotal experience in court proceedings rather than on any medical or statutory basis.

The district court credited Dr. Lucas’s testimony that Dickey’s ASPD and PPD diagnoses presented a substantial psychiatric disorder. It considered and rejected less-restrictive alternatives to civil commitment, committing Dickey to the commissioner of human services for treatment at a secure facility.

Dickey appeals.

DECISION

Dickey challenges the civil-commitment order, raising three arguments. He argues first that his ASPD and PPD diagnoses were unsupported by the evidence and that, even if this is not so, these are not substantial psychiatric disorders under the commitment statute. He argues second that the district court erroneously found that his mental illness caused him to be dangerous. And he argues third that the district court’s findings are inadequate for appellate review. His arguments fail.

We first address Dickey’s contentions arising from the district court’s reliance on the ASPD and PPD diagnoses. The district court may civilly commit a person if clear and

convincing evidence establishes that the person has a “mental illness and is dangerous to the public.” Minn. Stat. § 253B.18, subd. 1(a) (2024). A person is mentally ill if he has a “substantial psychiatric disorder of thought, mood, perception, orientation, or memory that grossly impairs [his] judgment, behavior, capacity to recognize reality, or to reason or understand.” Minn. Stat. § 253B.02, subd. 17(1) (2024). The disorder must also be demonstrated by “faulty perceptions” or “grossly disturbed behavior.” *Id.* Contrary to Dickey’s argument, Dr. Lucas’s report and testimony support his ASPD and PPD diagnoses. We will not disturb the district court’s findings of fact unless they are clearly erroneous, *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 221–22 (Minn. 2021), and we give substantial deference to its findings of expert-witness credibility, *In re Knops*, 536 N.W.2d 616, 620 (Minn. 1995). The findings on Dickey’s diagnoses have ample support in the record based on Dr. Lucas’s testimony and thorough expert report. Although Dr. Gilbertson saw no PPD symptoms unattributable to his stimulant use, Dr. Lucas testified that Dickey manifested delusional beliefs and paranoia that sexual predators were omnipresent, imminent threats. We will not revisit the district court’s weighing of competing expert testimony or substitute it with our own.

We are also satisfied that the evidence supports the district court’s determination that Dickey’s diagnoses met the statutory threshold for a substantial psychiatric disorder. The commitment statute does not identify specific mental-health conditions that qualify as substantial psychiatric disorders. *See* Minn. Stat. § 253B.02, subd. 17(1). We interpreted a previous version of the commitment statute to hold that a personality disorder, coupled with a person’s loss of ability to control his actions, may constitute a substantial psychiatric

disorder. *In re El-Rashad*, 411 N.W.2d 567, 569–70 (Minn. App. 1987). Dr. Lucas testified that Dickey suffers from paranoia and delusions arising from his PPD, specifically referencing Dickey’s fear that sexual predators are imminent threats to him. This testimony and corroborative evidence support the finding that Dickey suffers from a substantial psychiatric disorder.

We are similarly unconvinced by Dickey’s argument that the evidence does not show that his mental illness causes his dangerousness. The district court can civilly commit a person with a substantial psychiatric disorder if the person also poses a clear danger to others because of the disorder. Minn. Stat. § 253B.02, subd. 17(2) (2024). A clear danger is demonstrated by two elements—an “overt act” to cause serious physical harm to another and the substantial likelihood of causing serious physical harm to others. *Id.* Only one overt act is sufficient to support commitment. *In re Hofmaster*, 434 N.W.2d 279, 281–82 (Minn. App. 1989). Whether an overt act is supported by the evidence is a question of law that we review *de novo*. *In re Civ. Commitment of Carroll*, 706 N.W.2d 527, 530 (Minn. App. 2005). Our careful review of the law and record satisfies us that at least one alleged incident constitutes an overt act and supports the district court’s conclusion that Dickey poses a risk to the safety of others. The district court recounted the relevant evidence this way:

Both examiners agree that Respondent has made a recent attempt or threats to physically harm self or others; that Respondent presents a clear danger to the safety of others as demonstrated by the fact that he has engaged in an overt act causing or attempting to cause serious physical harm to another. These acts include Respondent shooting an occupied vehicle traveling on a city street in Alexandria on April 19, 2025; Respondent putting his son in a “bear hug” and stabbing him on June 11, 2025; and Respondent displaying a firearm

and threatening to kill a member of the public at a storage unit on October 22, 2025. For contextual purposes, the court also considered the ten felony criminal complaints attached to the Petition -- the majority of which charge Respondent with assaultive or domestic-related offenses dating back to 2019.

Both the overt-act element and likelihood of future harm are well supported by the evidence.

Dickey argues unconvincingly that the district court's fact findings and legal conclusions are insufficient for appellate review. In the context of civil commitments, district courts must make fact findings specifically and state conclusions of law separately. Minn. Stat. § 253B.09, subd. 2(a) (2024). If it orders commitment, the district court must also identify the person's conduct that satisfies each element for commitment. *Id.* A commitment order is not sufficient for appellate review if its findings are conclusory or not meaningfully tied to its legal conclusions. *In re Civ. Commitment of Spicer*, 853 N.W.2d 803, 810–11 (Minn. App. 2014). We have carefully examined the district court's fact findings and see them as sufficiently developed for us to adequately review its commitment decision. Contrary to Dickey's assertions, the findings are not merely conclusory but are supported by reason and reference to the evidence. And the commitment order meaningfully ties his substantial psychiatric disorder to his dangerousness by identifying the disorder and its manifestations.

Affirmed.