

**IN THE COURT OF APPEALS OF IOWA**

No. 18-0150  
Filed October 24, 2018

**IN THE MATTER OF K.H.,  
Alleged to be Seriously Mentally Impaired,**

**K.H.,**  
Respondent-Appellant.

---

Appeal from the Iowa District Court for Woodbury County, Jeffrey L. Poulson, Judge.

K.H. appeals a district court ruling finding her to be seriously mentally impaired. **AFFIRMED.**

Zachary S. Hindman of Mayne, Hindman, & Daane, Sioux City, until withdrawal, and then Jason B. Gann of Moore, Heffernan, Moeller, Johnson & Meis, LLP, Sioux City, for appellant.

Thomas J. Miller, Attorney General, and Gretchen Witte Kraemer, Special Assistant Attorney General, for appellee State.

Considered by Vaitheswaran, P.J., and Doyle and Mullins, JJ.

**MULLINS, Judge.**

K.H. appeals a district court ruling finding her to be seriously mentally impaired as defined by Iowa Code section 229.1(20)(a) and (c) (2017)<sup>1</sup> and ordering her involuntary commitment. She contends the serious-mental-impairment finding is unsupported by sufficient evidence. “We review challenges to the sufficiency of the evidence in involuntary commitment proceedings for errors at law.” *In re M.A.*, 895 N.W.2d 477, 479 (Iowa Ct. App. 2017) (quoting *In re B.B.*, 826 N.W.2d 425, 428 (Iowa 2013)). The allegations contained in the involuntary-commitment application must be proven by clear and convincing evidence, which “means that there must be no serious or substantial doubt about the correctness of a particular conclusion drawn from the evidence.” *B.B.*, 826 N.W.2d at 428 (quoting *In re J.P.*, 547 N.W.2d 340, 342 (Iowa 1998)); see also Iowa Code § 229.13(1).

Upon our review of the record, we find the district court’s finding of serious mental impairment is supported by sufficient evidence: she was diagnosed with schizophrenia, refuses to take her medications, believes she has microchips imbedded in her body, was living in an inoperable car in below-zero temperatures,

---

<sup>1</sup> Section 229.1(20) provides, in part, the following:

“Seriously mentally impaired” or “serious mental impairment” describes the condition of a person with mental illness and because of that illness lacks sufficient judgment to make responsible decisions with respect to the person’s hospitalization or treatment, and who because of that illness meets any of the following criteria:

a. Is likely to physically injure the person’s self or others if allowed to remain at liberty without treatment.

. . . .

c. Is unable to satisfy the person’s needs for nourishment, clothing, essential medical care, or shelter so that it is likely that the person will suffer physical injury, physical debilitation, or death.

. . . .

was planning to go to the FBI to get in a witness protection program, and refused to obtain mental-health treatment or stay in provided housing. We affirm the involuntary-commitment order without further opinion pursuant to Iowa Court Rule 21.26(1)(b).

**AFFIRMED.**