

# OREGON COURT OF APPEALS

## State v. Farnham

350 Or. App. 228 (2026) · No. A187134 · Decided June 3, 2026

### SUMMARY

The Oregon Court of Appeals dismissed as moot Michael Daniel Farnham’s appeal concerning the length of a driver’s license suspension imposed after his convictions for felony fleeing or attempting to elude, misdemeanor unlawful possession of methamphetamine, and misdemeanor driving while suspended or revoked. The court also declined to exercise discretionary review of the moot issue because the same argument had previously been rejected in State v. Farnham, 341 Or App 787 (2025).

### CASE DETAILS

|                       |                                                                                                                                                                                                                                                   |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Oregon Court of Appeals                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Egan, J.; Lagesen, Chief Judge; Egan, Judge                                                                                                                                                                                                       |
| JURISDICTION          | Oregon Court of Appeals                                                                                                                                                                                                                           |
| DECIDED               | June 3, 2026                                                                                                                                                                                                                                      |
| DOCKET                | A187134                                                                                                                                                                                                                                           |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Defendant appealed a judgment of conviction and the resulting one-year revocation of his driving privileges, arguing that the trial court should have imposed only a 90-day suspension. The Oregon Court of Appeals dismissed the appeal as moot. |
| PRECEDENTIAL VALUE    | Published Oregon Court of Appeals opinion                                                                                                                                                                                                         |
| PARTIES               | Michael Daniel Farnham v. State of Oregon                                                                                                                                                                                                         |

### TOPICS

- mootness
- appellate procedure
- criminal procedure
- statutory interpretation

### PRACTICE AREAS

- Criminal appellate procedure
- Driver's-license revocation
- Statutory interpretation

### QUESTIONS PRESENTED

1. Whether the appeal challenging the duration of defendant's driver's-license revocation was moot after the one-year revocation period expired.
2. Whether the court should exercise its discretion under ORS 14.175 to review the otherwise moot issue even though the same legal issue had already been resolved in *State v. Farnham*.

#### **HOLDINGS**

1. The appeal was moot because more than one year had elapsed since defendant's driver's license was revoked.
2. Even assuming the statutory prerequisites for review of a moot issue were satisfied, the court declined to exercise its discretion because the same legal issue had already been resolved in *State v. Farnham*.

#### **KEY QUOTATIONS**

“Consequently, we dismiss this appeal as moot.” (229)

#### **FACTUAL BACKGROUND**

Defendant was convicted of felony fleeing or attempting to elude a police officer, misdemeanor unlawful possession of methamphetamine, and misdemeanor driving while suspended or revoked. The conviction for fleeing or attempting to elude resulted in a one-year revocation of defendant's driving privileges. Defendant challenged the duration of the revocation, contending that ORS 809.411 required only a 90-day suspension, but the revocation period had expired by the time the appellate court considered the appeal.

#### **PROCEDURAL HISTORY**

The Coos County Circuit Court entered convictions for felony fleeing or attempting to elude a police officer, misdemeanor unlawful possession of methamphetamine, and misdemeanor driving while suspended or revoked. Based on the fleeing conviction, the circuit court revoked defendant's driving privileges for one year. Defendant appealed, but by the time of appellate review the one-year revocation had expired. The court dismissed the appeal as moot and declined to exercise discretionary review under ORS 14.175.

#### **DISPOSITION**

dismissed

#### **CASES CITED**

- *State v. Farnham*, 341 Or. App. 787, 575 P.3d 196, rev. denied, 374 Or. 593 (2025)
- *Bloomgarden v. Betschart*, 313 Or. App. 804, 807-08, 498 P.3d 338 (2021), rev. denied, 369 Or. 504 (2022)

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