

**FILED: June 11, 2014**

IN THE COURT OF APPEALS OF THE STATE OF OREGON

In the Matter of M. J. R., Alleged to be a Mentally Ill Person.

STATE OF OREGON,  
Respondent,

v.

M. J. R.,  
Appellant.

Yamhill County Circuit Court  
13CC00712

A155832

John L. Collins, Judge.

Submitted on May 02, 2014.

Garrett A. Richardson and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Anna M. Joyce, Solicitor General, and Cecil A. Reniche-Smith, Senior Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Nakamoto, Judge, and Egan, Judge.

PER CURIAM

Reversed.

1                   PER CURIAM

2                   In this appeal, appellant seeks reversal of an order committing her for a  
3 period not to exceed 180 days. ORS 426.130. She contends, in an unpreserved  
4 assignment of error, that the trial court erred in failing to inform her of her right to  
5 subpoena witnesses as required by ORS 426.100(1)(d). The state concedes the error, and  
6 we agree that that failure constitutes plain error. We further conclude, for the reasons  
7 articulated in *State v. M. L. R.*, 256 Or App 566, 570-71, 303 P3d 954 (2013), that it is  
8 appropriate to exercise our discretion to correct the error.

9                   Reversed.