

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of R. I. O'B.,
a Person Alleged to have Mental Illness.

STATE OF OREGON,
Respondent,

v.

R. I. O'B.,
Appellant.

Lane County Circuit Court
16CC04183; A162772

Maurice K. Merten, Judge.

Submitted June 1, 2018.

Joseph DeBin and Multnomah Defenders, Inc., filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Jona J. Maukonen, Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Tookey, Judge, and Shorr, Judge.

PER CURIAM

Reversed.

PER CURIAM

Appellant seeks reversal of a judgment committing him to the custody of the Mental Health Division for a period not to exceed 180 days. ORS 426.130. Appellant contends that the trial court plainly erred by failing to advise him of all the possible results of the proceedings as required by ORS 426.100(1)(c), including the possibility of conditional release or voluntary treatment. The state concedes that, under *State v. M. M.*, 288 Or App 111, 114-16, 405 P3d 192 (2017), and *State v. M. S. R.*, 288 Or App 156, 157, 403 P3d 809 (2017), the trial court committed plain error that warrants reversal. We agree with the state, accept the concession, and, for the reasons stated in those cases, exercise our discretion to correct the error. Because we reverse the judgment on that basis, we do not address appellant's first assignment of error.

Reversed.