

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of B. H.,  
a Person Alleged to have a Mental Illness.

STATE OF OREGON,  
*Respondent,*

*v.*

B. H.,  
*Appellant.*

Multnomah County Circuit Court  
17CC04820; A165886

Monica M. Herranz, Judge pro tempore.

Submitted March 2, 2018.

Alexander C. Cambier 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 Lagesen, Presiding Judge, and DeVore, Judge, and  
James, Judge.

PER CURIAM

Reversed.

**PER CURIAM**

Appellant appeals a judgment committing her to the Oregon Health Authority for a period not to exceed 180 days pursuant to ORS 426.130. In her first assignment of error, appellant argues that the trial court committed plain error when it failed to fully advise her of her rights in accordance with the requirements of ORS 426.100(1). Specifically, appellant contends that the trial court plainly erred when it failed to advise her that the possible results of the proceeding included voluntary treatment or conditional release. *See* ORS 426.130(1), (2) (setting out possible results of proceeding). The state has conceded that, under *State v. M. M.*, 288 Or App 111, 405 P3d 192 (2017), and *State v. M. S. R.*, 288 Or App 156, 403 P3d 809 (2017), the trial court plainly erred, and that, in accordance with those cases, the judgment should be reversed. We agree with the state and accept the concession. For the reasons stated in those cases, we exercise our discretion to correct the error and, accordingly, reverse the judgment. Our disposition of appellant's first assignment of error obviates the need to address her second.

Reversed.