

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

A. B.,
Appellant.

Deschutes County Circuit Court
17CC06528; A166479

Owyhee Weikel-Magden, Judge pro tempore.

Submitted June 1, 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 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 Oregon Health Authority for a period not to exceed 180 days and an order prohibiting him from purchasing or possessing firearms. ORS 426.130. Appellant contends that the trial court plainly erred by failing to advise him of the right to subpoena witnesses, as required by ORS 426.100(1). The state concedes that, under *State v. Z. A. B.*, 264 Or App 779, 780, 334 P3d 480, *adh'd to as modified on recons*, 266 Or App 708, 338 P3d 802 (2014), and *State v. M. L. R.*, 256 Or App 566, 570-71, 303 P3d 954 (2013), 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.

Reversed.