

IN THE COURT OF APPEALS OF THE  
STATE OF OREGON

In the Matter of K. S. D. M.,  
a Person Alleged to have Mental Illness.

STATE OF OREGON,

*Respondent,*

*v.*

K. S. D. M.,

*Appellant.*

Douglas County Circuit Court  
19CC01665; A170853

Jason R. Thomas, Judge pro tempore.

Submitted November 1, 2019.

Alexander C. Cambier and Multnomah Defenders, Inc.,  
filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin  
Gutman, Solicitor General, and

Greg Rios, Assistant Attorney General, filed the brief for  
respondent.

Before Ortega, Presiding Judge, and Shorr, Judge, and  
James, Judge.

PER CURIAM

Reversed.

**PER CURIAM**

Appellant seeks reversal of a judgment committing her to the custody of the Oregon Mental Health and Developmental Disability Services Division for a period of time not to exceed 180 days. She contends that the trial court erred in failing to advise her of her right to subpoena witnesses, as required by ORS 426.100(1). The state concedes the error. We agree that the error was plain error. *See 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) (failure to inform an allegedly mentally ill person of the right to subpoena witnesses is plain error). We exercise our discretion to correct the error for the reasons stated in *State v. S. J. F.*, 247 Or App 321, 325, 269 P3d 83 (2011) (“[P]lain error review of violations of ORS 426.100(1) is justified by the nature of civil commitment proceedings, the relative interests of the parties in those proceedings, the gravity of the violation, and the ends of justice.”).

Reversed.