

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

MICHAEL GERARD ADDISON,
Defendant-Appellant.

Lane County Circuit Court
18CR63814; A170808

Maurice K. Merten, Judge.

Submitted September 30, 2020.

Ernest G. Lannet, Chief Defender, Criminal Appellate Section, and Kyle Krohn, Deputy Public Defender, Office of Public Defense Services, filed the brief for appellant.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Christopher A. Perdue, Assistant Attorney General, filed the brief for respondent.

Before Armstrong, Presiding Judge, and Tookey, Judge, and Hadlock, Judge pro tempore.

PER CURIAM

Portion of judgment requiring defendant to pay \$25 probation-violation fee vacated; remanded for resentencing; otherwise affirmed.

PER CURIAM

Defendant appeals a judgment revoking probation on a conviction for fourth-degree assault constituting domestic violence. He argues that the trial court erred in imposing a \$25 probation-violation fee, and in imposing a 50-day jail sentence. We reject without discussion defendant's argument concerning his jail sentence. Defendant argues that the trial court erred when it imposed a \$25 probation-violation fee that was not announced in open court. The state concedes that the court erred by imposing the \$25 probation-violation fee for the first time in the judgment. We agree and accept the state's concession. *See State v. Pacho*, 300 Or App 398, 450 P3d 1033 (2019) (correcting similar error).

Portion of judgment requiring defendant to pay \$25 probation-violation fee vacated; remanded for resentencing; otherwise affirmed.