

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

In the Matter of M. R.,
a Person Alleged to have Mental Illness.

STATE OF OREGON,
Respondent,

v.

M. R.,
Appellant.

Marion County Circuit Court
20CC00956; A173677

Janet A. Klapstein, Judge pro tempore.

Submitted September 4, 2020.

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

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Joanna Hershey, Assistant Attorney General, filed the brief for respondent.

Before DeVore, Presiding Judge, and DeHoog, Judge, and Mooney, Judge.

PER CURIAM

Reversed.

PER CURIAM

Appellant seeks reversal of a judgment involuntarily committing him to the Oregon Health Authority for up to 180 days, as well as an order prohibiting him from purchasing or possessing firearms. He asserts that the trial court plainly erred in failing to fully advise him of the possible consequences of the mental commitment proceeding, as required by ORS 426.100(1). He argues that, although the trial court advised him of some of the possible outcomes of the proceeding, it omitted key information concerning several outcomes, including conditional release. *See State v. M. T.*, 244 Or App 299, 305, 258 P3d 1288 (2011) (advice must include “information about possible results—voluntary treatment and conditional release—that can be secured only with the cooperation of the allegedly mentally ill person”). The state concedes that the trial court plainly erred in that regard and that the judgment and firearms order must be reversed. We agree with the state’s concession and, for the reasons expressed in *State v. S. J. F.*, 247 Or App 321, 325, 269 P3d 83 (2011), exercise our discretion to correct the error.

Reversed.