

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

CHRISTINA ANN FRAZIER,
Defendant-Appellant.

Lincoln County Circuit Court
19CR60083; A173673

Sheryl Bachart, Judge.

Submitted October 27, 2021.

Ernest G. Lannet, Chief Defender, Criminal Appellate Section, and Peter G. Klym, Deputy Public Defender, Office of Public Defense Services, 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 Powers, Judge.

PER CURIAM

Remanded for resentencing; otherwise affirmed.

PER CURIAM

Defendant pleaded guilty to possession of methamphetamine, ORS 475.894(2), and failure to appear on a criminal citation, ORS 133.076, reserving her right to challenge on appeal the trial court's denial of her motion to dismiss.¹ She also challenges the imposition of a \$100 bench probation fee that was not announced in open court at sentencing. We reject without discussion defendant's argument concerning the motion to dismiss. *See State v. Robison*, 233 Or App 90, 227 P3d 169 (2009) (rejecting similar argument). Defendant next argues that the trial court erred in imposing a \$100 bench probation fee with respect to her failure-to-appear conviction because the court did not announce that fee on the record in defendant's presence at sentencing. The state concedes that the court erred in that respect. We agree and accept that concession. *See State v. Anotta*, 312 Or App 220, 493 P3d 26 (2021) (correcting similar error).

Remanded for resentencing; otherwise affirmed.

¹ ORS 475.894 has been amended since defendant committed his crime; however, because those amendments do not affect our analysis, we refer to the current version of the statute in this opinion.