

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

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

STATE OF OREGON,
Respondent,

v.

Z. M. H.,
Appellant.

Yamhill County Circuit Court
21CC04581; A176928

John L. Collins, Judge.

Submitted February 4, 2022.

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 Shorr, Presiding Judge, and Mooney, Judge, and Pagán, Judge.

PER CURIAM

Reversed.

PER CURIAM

Appellant appeals a judgment committing him to the Oregon Health Authority for a period not to exceed 180 days and prohibiting him from purchasing or possessing firearms, based on a finding that he has a mental illness. ORS 426.130. He contends that the trial court plainly erred when it failed to advise him pursuant to ORS 426.100(1) of all of the possible results of the proceeding. The state concedes the error. We agree that failure to provide such statutory advice of rights constitutes plain error. *See State v. R. A. C.*, 315 Or App 77, 496 P3d 1156 (2021) (correcting similar error as plain error). Given the nature of civil commitment proceedings, the relative interests of the parties, the gravity of the error, and the ends of justice, we exercise discretion to correct the error.

Reversed.