IN THE COURT OF APPEALS OF MONTGOMERY COUNTY, OHIO

STATE OF OHIO

Plaintiff-Appellee : C.A. CASE NO. 21130

:

vs. : T.C. CASE NO.05CRB6991

BENNY W. BLEDSOE : (Criminal Appeal From

Municipal Court)

Defendant-Appellant :

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OPINION

Rendered on the 5th day of May, 2006.

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Patrick J. Bonfield, Director of Law; Deidre Logan, Chief Prosecutor; Edward C. Utacht, II, Asst. City Prosecutor, 335 West Third Street, Room 372, Dayton, Ohio 45402 Attorney for Plaintiff-Appellee

Michael R. Pentecost, Atty. Reg. No. 0036803, Law Office of Public Defender, 117 South Main Street, Suite 400, Dayton, Ohio 45422

Attorney for Defendant-Appellant

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GRADY, P.J.

 $\{\P 1\}$ Defendant-Appellant, Benny W. Bledsoe's conviction and sentence for the offense of domestic violence, R.C. 2919.25, is reversed and vacated on the authority of this court's judgment in *State v. Ward*, Greene App. No. 05-CA-75, 2006-Ohio-1407.

BROGAN, J. concurs.

DONOVAN, J., dissenting:

 $\{\P\ 2\}$ I disagree for the reasons set forth in my dissent in State v. Ward.

Copies mailed to:

Edward C. Utacht, II, Esq. Michael R. Pentecost, Esq. Hon. Daniel G. Gehres