

[Cite as *State v. Smith*, 105 Ohio St.3d 289, 2005-Ohio-1651.]

**THE STATE OF OHIO, APPELLANT, v. SMITH, APPELLEE.**

**[Cite as *State v. Smith*, 105 Ohio St.3d 289, 2005-Ohio-1651.]**

*Criminal law — Postrelease control — Court of appeals' judgment reversed and cause remanded to trial court for resentencing consistent with State v. Jordan.*

(No. 2004-2152 — Submitted March 8, 2005 — Decided April 20, 2005.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 84292, 2004-Ohio-6111.

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{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed, and the cause is remanded to the trial court for resentencing consistent with *State v. Jordan*, 104 Ohio St.3d 21, 2004-Ohio-6085, 817 N.E.2d 864.

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ., concur.

LANZINGER, J., dissents.

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William D. Mason, Cuyahoga County Prosecuting Attorney, and Lisa Reitz Williamson, Assistant Prosecuting Attorney, for appellant.

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