

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Samples*, Slip Opinion No. 2009-Ohio-6542.]

NOTICE

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SLIP OPINION NO. 2009-OHIO-6542

THE STATE OF OHIO, APPELLEE, v. SAMPLES, APPELLANT.

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Court of appeals' judgment affirmed on the authority of State v. Lester.

(No. 2009-0699 — Submitted September 30, 2009 — Decided
December 17, 2009.)

APPEAL from the Court of Appeals for Stark County, No. 2008 CA 00027,
2009-Ohio-1043.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Lester*, 123 Ohio St.3d 396, 2009-Ohio-4225, 916 N.E.2d 1038.

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

John D. Ferrero, Stark County Prosecuting Attorney, and Kathleen O. Tatarsky, Assistant Prosecuting Attorney, for appellee.

SUPREME COURT OF OHIO

Timothy Young, Ohio Public Defender, and Spencer Cahoon, Assistant
State Public Defender, for appellant.
