

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Hooper*, Slip Opinion No. 2011-Ohio-5716.]

NOTICE

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**SLIP OPINION NO. 2011-OHIO-5716**

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

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Hooper*, Slip Opinion No. 2011-Ohio-5716.]**

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

(No. 2011-0412—Submitted November 2, 2011—Decided November 9, 2011.)

APPEAL from the Court of Appeals for Montgomery County, No. 22883.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Lester*, \_\_\_ Ohio St.3d \_\_\_, 2011-Ohio-5204, \_\_\_ N.E.2d \_\_\_.

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, CUPP, and MCGEE BROWN, JJ., concur.

LANZINGER, J., concurs in judgment only.

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Matthias H. Heck, Jr., Montgomery County Prosecuting Attorney, and Carly J. Ingram, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and E. Kelly Mihocik, Assistant Public Defender, for appellant.

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