

OPINIONS OF THE SUPREME COURT OF OHIO

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The State of Ohio, Appellant, v. Barnett, Appellee.

[Cite as State v. Barnett (1993), Ohio St.3d .]

Criminal law -- Minor misdemeanor may not serve as underlying predicate offense for purposes of involuntary manslaughter statute, R.C. 2903.04(B).

(No. 93-1135 -- Submitted September 14, 1993 -- Decided October 13, 1993.)

Certified by the Court of Appeals for Seneca County, No. 13-92-03.

Paul F. Kutscher, Jr., Seneca County Prosecuting Attorney, for appellant.

Clarence R. Barnett, pro se.

The cause is affirmed on authority of State v. Collins (1993), 67 Ohio St.3d 115, 616 N.E.2d 224.

A.W. Sweeney, Wright, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.

Moyer, C.J., and Douglas, J., dissent.