

1 IN RE OWENS.

2 [Cite as *In re Owens* (1996), \_\_\_ Ohio St.3d \_\_\_\_.]

3 *Appeal dismissed as improvidently allowed.*

4 (No. 94-1806 -- Submitted November 15, 1995 -- Decided January 3, 1996.)

5 APPEAL from the Court of Appeals for Cuyahoga County, No. 66452.

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7 *Stephanie Tubbs Jones*, Cuyahoga County Prosecuting Attorney, *Lynne A.*

8 *Yohe, Sharon Hawk* and *Arline M. Zehe*, Assistant Prosecuting Attorneys, for

9 appellant Cuyahoga Support Enforcement Agency.

10 *Betty D. Montgomery*, Attorney General, and *Karen Lazorishak*, Assistant

11 Attorney General, urging reversal for *amicus curiae*, Ohio Department of Human

12 Services.

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14 The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

15 MOYER, C.J., WRIGHT, F.E. SWEENEY, PFEIFER AND COOK, JJ., concur.

16 DOUGLAS, J., dissents.

17 RESNICK, J., dissents and would reverse the judgment of the court of

18 appeals.

