

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

[Cite as *State v. Fuller* (1998), ___ Ohio St.3d ____.]

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

(No. 97-2338 — Submitted August 19, 1998 — Decided September 16, 1998.)

APPEAL from the Court of Appeals for Hamilton County, No. C-960753.

Joseph T. Deters, Hamilton County Prosecuting Attorney, and *Philip R. Cummings*, Assistant Prosecuting Attorney, for appellee.

David H. Bodiker, State Public Defender, and *Kevin Fahey*, Assistant Public Defender, for appellant.

The judgment of the court of appeals is affirmed on the authority of *State v. Rush* (1998), 83 Ohio St.3d 53, 697 N.E.2d 634.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.