

[Cite as *State v. Livingston*, 86 Ohio St.3d 618, 1999-Ohio-211.]

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

[Cite as *State v. Livingston* (1999), 86 Ohio St.3d 618.]

Criminal law — Where single indictment contains felony and misdemeanor counts, speedy-trial provisions in R.C. 2945.71(B) must be applied to the misdemeanor counts — Court of appeals' judgment affirmed on authority of State v. Hughes.

(No. 99-243 — Submitted August 25, 1999 — Decided September 29, 1999.)

APPEAL from the Court of Appeals for Hamilton County, No. C-980301.

Michael K. Allen, Hamilton County Prosecuting Attorney, and *Tina I. Ernst*, Assistant Prosecuting Attorney, for appellant.

Kenneth L. Lawson & Associates and *Kenneth L. Lawson*, for appellee.

The judgment of the court of appeals is affirmed on the authority of *State v. Hughes* (1999), 86 Ohio St.3d 424, 715 N.E.2d 540.

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

LUNDBERG STRATTON, J., dissents.

LUNDBERG STRATTON, J., dissenting. I respectfully dissent from the majority's judgment for the reasons set forth in my dissent in *State v. Hughes* (1999), 86 Ohio St.3d 424, 715 N.E.2d 540.