

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

[Cite as *State v. Price* (1999), ___ Ohio St.3d ___.]

Criminal law — Sentencing — Court of appeals' judgment reversed on authority of State v. Rush.

(No. 98-1973 — Submitted January 12, 1999 — Decided March 3, 1999.)

APPEAL from the Court of Appeals for Richland County, No. 97-CA-47.

James J. Mayer, Jr., Richland County Prosecuting Attorney, and *Sheryl M. Groff*, Assistant Prosecuting Attorney, for appellant.

The discretionary appeal is allowed on Proposition of Law No. II.

The judgment of the court of appeals is reversed 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.