KUDUKIS ET AL., APPELLANTS, v. MASCINSKAS ET AL., APPELLEES. [Cite as *Kudukis v. Mascinskas*, 102 Ohio St.3d 1212, 2004-Ohio-1758.]

Appeal dismissed as improvidently accepted.

(No. 2003-0871 — Submitted March 16, 2004 — Decided April 21, 2004.) APPEAL from the Court of Appeals for Cuyahoga County, No. 81663, 2003-Ohio-1355.

{**¶1**} This cause is dismissed, sua sponte, as having been improvidently accepted.

MOYER, C.J., RESNICK, F.E. SWEENEY, PFEIFER, LUNDBERG STRATTON, O'CONNOR and O'DONNELL, JJ., concur.

Paul W. Flowers Co., L.P.A., and Paul W. Flowers; and Thomas J. Zaffiro, for appellants.

Michael P. Harvey Co., L.P.A., and Michael P. Harvey, for appellees.