

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

[Cite as *State v. Yeager*, 103 Ohio St.3d 476, 2004-Ohio-5707.]

Criminal law — Right to counsel — Court of appeals’ judgment reversed and cause remanded for proceedings consistent with State v. Martin.

(Nos. 2004-1006 and 2004-1196 — Submitted October 13, 2004 — Decided November 10, 2004.)

APPEAL from and CERTIFIED by the Court of Appeals for Summit County, No. 21510, 2004-Ohio-2368.

{¶1} The judgment of the court of appeals is reversed and the cause is remanded to the court of appeals for consideration of other assignments of error and proceedings consistent with *State v. Martin*, 103 Ohio St.3d 385, 2004-Ohio-5471, 816 N.E.2d 227.

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ., concur.

F.E. SWEENEY, J., dissents.

Sherri Bevan Walsh, Summit County Prosecuting Attorney, and Philip D. Bogdanoff, Assistant Prosecuting Attorney, for appellant.

Nathan A. Ray, for appellee.
