

**THE STATE OF OHIO, APPELLANT, v. NELSON, APPELLEE.**

[Cite as *State v. Nelson*, 106 Ohio St.3d 1225, 2005-Ohio-5825.]

*Appeal dismissed as improvidently accepted.*

(No. 2004-2009 — Submitted September 27, 2005 — Decided  
November 16, 2005.)

APPEAL from the Court of Appeals for Cuyahoga County,  
No. 84108, 2004-Ohio-5608.

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

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

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William D. Mason, Cuyahoga County Prosecuting Attorney, and Matthew  
T. Norman, Assistant Prosecuting Attorney, for appellant.

Michael P. Maloney, for appellee.

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