

**ROSE ET AL., APPELLEES, v. CITY OF GARFIELD HEIGHTS ET AL.; CLARENDON
NATIONAL INSURANCE COMPANY, APPELLANT.**

[Cite as *Rose v. Garfield Hts.*, 111 Ohio St.3d 1209, 2006-Ohio-5698.]

Appeal dismissed as improvidently accepted.

(No. 2005-1828 — Submitted September 20, 2006 — Decided
November 15, 2006.)

APPEAL from the Court of Appeals for Cuyahoga County,
Nos. 85420 and 85426, 2005-Ohio-4165.

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

{¶ 2} The court orders that the opinion of the court of appeals may not
be cited as authority except by the parties inter se.

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

JOHN F. BOGGINS, J., of the Fifth Appellate District, sitting for RESNICK, J.

Yulish, Twohig & Associates Co., L.P.A., and Gerald R. Horning, for
appellees.

Reminger & Reminger Co., L.P.A., and Amy S. Thomas, for appellant.

Paul L. Cox, urging affirmance for amicus curiae, Fraternal Order of
Police of Ohio, Inc.