

[Cite as *Toledo v. State*, 122 Ohio St.3d 542, 2009-Ohio-4117.]

**THE CITY OF TOLEDO ET AL., APPELLEES, v. THE STATE OF OHIO, APPELLANT.**

**[Cite as *Toledo v. State*, 122 Ohio St.3d 542, 2009-Ohio-4117.]**

*Court of appeals' judgment reversed on the authority of Lima v. State.*

(No. 2008-0975 — Submitted July 14, 2009 — Decided August 20, 2009.)

APPEAL from the Court of Appeals for Lucas County, No. L-07-1261,  
2008-Ohio-1957.

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{¶ 1} The judgment of the court of appeals is reversed on the authority of *Lima v. State*, 122 Ohio St.3d 155, 2009-Ohio-2597, 909 N.E.2d 616.

MOYER, C.J., and PFEIFER, LUNDBERG STRATTON, O'CONNOR,  
O'DONNELL, and CUPP, JJ., concur.

LANZINGER, J., dissents.

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Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General,  
and Sharon A. Jennings and Pearl M. Chin, Assistant Attorneys General, for  
appellant.

Kalniz, Iorio & Feldstein Co., L.P.A., and Donato Iorio, for amici curiae  
Toledo Police Patrolman's Association and Toledo Fire Fighters Local 92 in  
support of appellant.

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