

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

[Cite as *State v. Jones*, 123 Ohio St.3d 146, 2009-Ohio-4689.]

*Discretionary appeal accepted, court of appeals' judgment reversed in part on the authority of State v. Harris, and cause remanded.*

(No. 2009-0931 — Submitted August 11, 2009 — Decided September 15, 2009.)

APPEAL from the Court of Appeals for Lucas County, No. L-07-1292,  
2009-Ohio-1742.

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{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed on the authority of *State v. Harris*, 122 Ohio St.3d 373, 2009-Ohio-3323, 911 N.E.2d 882, to the extent that the court of appeals held that robbery as defined in R.C. 2911.02(A)(2) and aggravated robbery as defined in R.C. 2911.01(A)(1) are not allied offenses of similar import. The cause is remanded to the court of appeals for further consideration of the animus analysis consistent with *State v. Harris*.

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

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Julia R. Bates, Lucas County Prosecuting Attorney, and David F. Cooper, Assistant Prosecuting Attorney, for appellee.

Deborah Kovac Rump, for appellant.

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