

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Scott*, Slip Opinion No. 2011-Ohio-5343.]

NOTICE

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SLIP OPINION NO. 2011-OHIO-5343

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

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Cause remanded to the court of appeals for application of State v. Williams and State v. Dunlap.

(No. 2010-1483—Submitted September 21, 2011—Decided October 20, 2011.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 91890,
2010-Ohio-3057.

{¶ 1} The cause is remanded to the court of appeals for application of *State v. Williams*, 129 Ohio St.3d 344, 2011-Ohio-3374, ___ N.E.2d ___, and *State v. Dunlap*, ___ Ohio St.3d ___, 2011-Ohio-4111, ___ N.E.2d ___.

O’CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, LANZINGER, CUPP, and MCGEE BROWN, JJ., concur.

O’DONNELL, J., dissents as to the application of *State v. Williams*.

SUPREME COURT OF OHIO

William D. Mason, Cuyahoga County Prosecuting Attorney, and Lisa Williamson, Assistant Prosecuting Attorney, for appellee.

Robert L. Tobik, Cuyahoga County Public Defender, and John Martin, Assistant Public Defender, for appellant.
