

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Haynes*, Slip Opinion No. 2011-Ohio-5787.]

NOTICE

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**SLIP OPINION NO. 2011-OHIO-5787**

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

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Haynes*, Slip Opinion No. 2011-Ohio-5787.]**

*Discretionary appeal accepted and cause remanded to the court of appeals for application of State v. Williams.*

(No. 2011-1219—Submitted October 18, 2011—Decided November 15, 2011.)

APPEAL from the Court of Appeals for Hamilton County, No. C-100381.

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{¶ 1} The discretionary appeal is accepted.

{¶ 2} The cause is remanded to the court of appeals for application of *State v. Williams*, \_\_\_ Ohio St.3d \_\_\_, 2011-Ohio-3374, \_\_\_ N.E.2d \_\_\_.

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

O’DONNELL, J., dissents.

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Joseph T. Deters, Hamilton County Prosecuting Attorney, and Paula Adams, Assistant Prosecuting Attorney, for appellee.

SUPREME COURT OF OHIO

Dinsmore & Shohl, L.L.P., and Michael J. Newman, Christopher R. McDowell, and Kurt R. Hunt, for appellant.

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