

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Ballard v. State*, Slip Opinion No. 2013-Ohio-2412.]

NOTICE

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SLIP OPINION NO. 2013-OHIO-2412

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

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Court of appeals' judgment reversed and cause remanded on the authority of Dunbar v. State.

(No. 2012-1525—Submitted June 5, 2013—Decided June 13, 2013.)

APPEAL from the Court of Appeals for Cuyahoga County,
No. 97882, 2012-Ohio-3086.

{¶ 1} The judgment of the court of appeals is reversed and the cause is remanded on authority of *Dunbar v. State*, ___ Ohio St.3d ___, 2013-Ohio-2163, ___ N.E.2d ___.

O'CONNOR, C.J., and PFEIFER, O'DONNELL, LANZINGER, KENNEDY, FRENCH, and O'NEILL, JJ., concur.

SUPREME COURT OF OHIO

Michael DeWine, Attorney General, Alexandra T. Schimmer, Solicitor General, and Peter K. Glenn-Applegate, Deputy Solicitor; and Timothy J. McGinty, Cuyahoga County Prosecuting Attorney, and Michael A. Dolan, Assistant Prosecuting Attorney, for appellant.

Samuel S. Riotte and David B. Malik, for appellee.
