

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Caulley*, Slip Opinion No. 2013-Ohio-3673.]

NOTICE

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SLIP OPINION NO. 2013-OHIO-3673

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

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Court of appeals' judgment affirmed on the authority of State v. Forrest.

(No. 2012-1974—Submitted August 21, 2013—Decided September 5, 2013.)

APPEAL from the Court of Appeals for Franklin County,
No. 12AP-100, 2012-Ohio-2649.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Forrest*, ___ Ohio St.3d ___, 2013-Ohio-2409, ___ N.E.2d ___.

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

O'DONNELL and KENNEDY, JJ., dissent.

Ron O'Brien, Franklin County Prosecuting Attorney, and Seth L. Gilbert, Assistant Prosecuting Attorney, for appellant.

Timothy Young, Ohio Public Defender, and Kimberly S. Rigby, Assistant Public Defender, for appellee.
