

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Laber*, Slip Opinion No. 2014-Ohio-3154.]

NOTICE

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**SLIP OPINION NO. 2014-OHIO-3154**

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

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Laber*, Slip Opinion No. 2014-Ohio-3154.]**

*Appeal dismissed as having been improvidently accepted.*

(No. 2013-1174—Submitted June 24, 2014—Decided July 22, 2014.)

APPEAL from the Court of Appeals for Lawrence County,  
No. 12CA24, 2013-Ohio-2681.

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{¶ 1} The cause is dismissed as having been improvidently accepted.

PFEIFER, O'DONNELL, KENNEDY, and O'NEILL, JJ., concur.

O'CONNOR, C.J., and LANZINGER and FRENCH, JJ., dissent from the decision to dismiss the appeal as improvidently accepted.

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Michael DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael J. Hendershot, Chief Deputy Solicitor, and Jeffrey Jarosch, Deputy Solicitor; and Brigham Anderson, Lawrence County Prosecuting Attorney, and Mack Anderson, Assistant Prosecuting Attorney, for appellee.

SUPREME COURT OF OHIO

Timothy Young, Ohio Public Defender, and Peter Galyardt, Assistant  
Public Defender, for appellant.

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