

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Black*, Slip Opinion No. 2015-Ohio-3925.]

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

**SLIP OPINION NO. 2015-OHIO-3925**

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

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Black*, Slip Opinion No. 2015-Ohio-3925.]**

*Judgment reversed and cause remanded on the authority of State v. Rogers.*

(No. 2013-1947—Submitted August 11, 2015—Decided September 29, 2015.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 99421,  
2013-Ohio-4908.

---

{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to that court for further proceedings on the authority of *State v. Rogers*, Slip Opinion No. 2015-Ohio-2459.

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

O’NEILL, J., dissents.

---

SUPREME COURT OF OHIO

Timothy J. McGinty, Cuyahoga County Prosecuting Attorney, and Adam  
M. Chaloupka, Assistant Prosecuting Attorney, for appellant.

Michael B. Telep, for appellee.

---