

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Ortiz*, Slip Opinion No. 2018-Ohio-4829.]

NOTICE

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SLIP OPINION NO. 2018-OHIO-4829

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

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Court of appeals' judgment affirmed on authority of State v. Carnes.

(No. 2018-0042—Submitted August 31, 2018—Decided December 7, 2018.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 105301, 2017-Ohio-9157.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Carnes*, ___ Ohio St.3d ___, 2018-Ohio-3256, ___ N.E.3d ___.

O'DONNELL, KENNEDY, FRENCH, FISCHER, DEWINE, and DEGENARO, JJ.,
concur.

O'CONNOR, C.J., dissents.

Mark A. Stanton, Cuyahoga County Public Defender, and Erika Cunliffe,
Assistant Public Defender, for appellant, Antonio Ortiz.

SUPREME COURT OF OHIO

