

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Smith*, Slip Opinion No. 2020-Ohio-3747.]

NOTICE

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SLIP OPINION NO. 2020-OHIO-3747

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

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Judgment reversed on the authority of State v. Miller, convictions reinstated, and cause remanded.

(No. 2019-1460—Submitted July 8, 2020—Decided July 21, 2020.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 107956, 2019-Ohio-3769.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *State v. Miller*, __ Ohio St.3d __, 2020-Ohio-1420, __ N.E.3d __, and appellee Keyon Smith’s guilty pleas and convictions are reinstated. We remand the cause to the court of appeals for consideration of Smith’s remaining assignments of error.

O’CONNOR, C.J., and KENNEDY, FISCHER, DEWINE, and STEWART, JJ., concur.

SUPREME COURT OF OHIO

FRENCH and DONNELLY, JJ., would instruct the court of appeals to apply *Miller* on remand.

Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and
Gregory Ochocki, Assistant Prosecuting Attorney, for appellant.
