

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Eighmey v. Cleveland*, Slip Opinion No. 2022-Ohio-4729.]

NOTICE

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SLIP OPINION NO. 2022-OHIO-4729

EIGHMEY, APPELLEE, ET AL., v. THE CITY OF CLEVELAND, APPELLANT.

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *Eighmey v. Cleveland*, Slip Opinion No. 2022-Ohio-4729.]

Court of appeals' judgment reversed on the authority of *Lycan v. Cleveland*.

(No. 2020-0677—Submitted December 23, 2022—Decided December 30, 2022.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 108540, 2020-Ohio-1500.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Lycan v. Cleveland*, __ Ohio St.3d __, 2022-Ohio-4676, __ N.E.3d __.

KENNEDY, DEWINE, STEWART, and BRUNNER, JJ., concur.

O'CONNOR, C.J., and DONNELLY, J., dissent for the reasons set forth in Chief Justice O'Connor's dissenting opinion in *Lycan*.

FISCHER, J., dissents and would order briefing.

SUPREME COURT OF OHIO

Dworken & Bernstein Co., L.P.A., Patrick J. Perotti, and Frank A. Bartela,
for appellee, Allyson Eighmey.

Mark D. Griffin, Cleveland Director of Law, and Craig J. Morice, Assistant
Director of Law, for appellant.
