

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Irvin*, Slip Opinion No. 2022-Ohio-3587.]

NOTICE

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SLIP OPINION NO. 2022-OHIO-3587

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

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Court of appeals' judgment vacated on the authority of State v. Brooks and cause remanded.

(Nos. 2020-1294 and 2020-1420—Submitted October 4, 2022—Decided October 12, 2022.)

APPEAL from and CERTIFIED by the Court of Appeals for Montgomery County,
No. 28495, 2020-Ohio-4847.

{¶ 1} The judgment of the court of appeals is vacated on the authority of *State v. Brooks*, __ Ohio St.3d __, 2022-Ohio-2478, __ N.E.3d __, and the cause is remanded to that court for it to conduct a harmless-error analysis.

O'CONNOR, C.J., and KENNEDY, FISCHER, DEWINE, DONNELLY, STEWART,
and BRUNNER, JJ., concur.

SUPREME COURT OF OHIO

Mathias H. Heck Jr., Montgomery County Prosecuting Attorney, and Heather N. Ketter, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Stephen P. Hardwick, Assistant Public Defender, for appellant, Lance Irvin.
