

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Gapen*, Slip Opinion No. 2022-Ohio-1328.]

NOTICE

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SLIP OPINION NO. 2022-OHIO-1328

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

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Appeal dismissed as having been improvidently accepted.

(No. 2021-1336—Submitted April 12, 2022—Decided April 26, 2022.)

APPEAL from the Court of Appeals for Montgomery County,

No. 28808, 2021-Ohio-3252.

{¶ 1} This cause is dismissed as having been improvidently accepted.

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

Mathias H. Heck, Montgomery County Prosecuting Attorney, and Andrew T. French, Assistant Prosecuting Attorney, for appellee.

Deborah Williams, Federal Public Defender, and Allen L. Bohnert and Adam M. Rusnak, Assistant Federal Public Defenders, for appellant, Larry Gapen.

SUPREME COURT OF OHIO
