

[Cite as *State v. Zimmerman*, 152 Ohio St.3d 160, 2018-Ohio-249.]

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

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Appeal dismissed as having been improvidently accepted.

(No. 2016-0789—Submitted November 21, 2017—Decided January 16, 2018.*)

APPEAL from the Court of Appeals for Clark County, Nos. 2015-CA-62 and
2015-CA-63, 2016-Ohio-1475.

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

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

O'CONNOR, C.J., and FRENCH and O'NEILL, JJ., dissent.

D. Andrew Wilson, Clark County Prosecuting Attorney, and Megan M. Farley, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Brooke M. Burns, Assistant Public Defender, for appellant.

*Reporter's Note: This cause was decided on January 16, 2018, but was released to the public on January 30, 2018, subsequent to the resignation of Justice William M. O'Neill, who participated in the decision.