

[Cite as *State v. Dunson*, 156 Ohio St.3d 180, 2018-Ohio-5213.]

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

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Court of appeals' judgment reversed on authority of State v. Braden.

(No. 2017-0186—Submitted April 26, 2018—Decided December 27, 2018.)

APPEAL from the Court of Appeals for Montgomery County,

No. 26990, 2016-Ohio-8365.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *State v. Braden*, ___ Ohio St.3d ___, 2018-Ohio-5079, ___ N.E.3d ___.

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

O'CONNOR, C.J., and FRENCH, J., dissent for the reasons stated in the dissenting opinion of FRENCH, J., in *State v. Braden*, ___ Ohio St.3d ___, 2018-Ohio-5079, ___ N.E.3d ___, and would address the accepted proposition of law.

Mathias H. Heck Jr., Montgomery County Prosecuting Attorney, and Megan D. Woodall and Heather N. Jans, Assistant Prosecuting Attorneys, for appellant.

Timothy Young, Ohio Public Defender, and Patrick T. Clark, Assistant Public Defender, for appellee.

Elizabeth Bonham, Caitlin Hill, Freda J. Levenson, and R. Orion Danjuma, urging affirmance for amici curiae American Civil Liberties Union of Ohio, American Civil Liberties Union Foundation, Southern Poverty Law Center, and Lawyers' Committee for Civil Rights Under Law.
