

OPINIONS OF THE SUPREME COURT OF OHIO

\*\*\*\* SUBJECT TO FURTHER EDITING \*\*\*\*

The full texts of the opinions of the Supreme Court of Ohio are being transmitted electronically beginning May 27, 1992, pursuant to a pilot project implemented by Chief Justice Thomas J. Moyer.

Please call any errors to the attention of the Reporter's Office of the Supreme Court of Ohio. Attention: Walter S. Kobalka, Reporter, or Deborah J. Barrett, Administrative Assistant. Tel.: (614) 466-4961; in Ohio 1-800-826-9010. Your comments on this pilot project are also welcome.

NOTE: Corrections may be made by the Supreme Court to the full texts of the opinions after they have been released electronically to the public. The reader is therefore advised to check the bound volumes of Ohio St.3d published by West Publishing Company for the final versions of these opinions. The advance sheets to Ohio St.3d will also contain the volume and page numbers where the opinions will be found in the bound volumes of the Ohio Official Reports.

Smith, Appellant, v. Jordan, d.b.a. Lima Properties, Inc., et al., Appellees.

[Cite as Smith v. Jordan (1994), Ohio St.3d .]

Landlords and tenants--Landlord owes same duties to persons lawfully upon leased premises as he owes to the

tenant--Application of R.C. 5321.04 to invited guests.

(No. 94-2027--Submitted December 28, 1994--Decided December 30, 1994.)

Appeal from the Court of Appeals for Allen County, No. 1-94-27.

Susan M. Lutz, for appellant.

Cory, Meredith, Witter, Roush & Cheney Co., L.P.A., and Donald J. Witter, for appellee Craig A. Jordan.

Ulmer & Berne, Richard D. Sweebe and Roberto H. Rodriguez, Jr., for appellee Miner O. Dickason.

The judgment of the court of appeals is reversed and the cause is remanded to the court of appeals to consider Shump v. First Continental-Robinwood Assoc. (1994), Ohio St.3d , N.E.2d .

Moyer, C.J., A.W. Sweeney, Douglas, Wright, Resnick, F.E. Sweeney and Pfeifer, JJ., concur.