

IN RE OWENS.

[Cite as *In re Owens*, 1996-Ohio-273.]

*Appeal dismissed as improvidently allowed.*

(No. 94-1806—Submitted November 15, 1995—Decided January 3, 1996.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 66452.

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*Stephanie Tubbs Jones*, Cuyahoga County Prosecuting Attorney, *Lynne A. Yohe*, *Sharon Hawk* and *Arline M. Zehe*, Assistant Prosecuting Attorneys, for appellant Cuyahoga Support Enforcement Agency.

*Betty D. Montgomery*, Attorney General, and *Karen Lazorishak*, Assistant Attorney General, urging reversal for *amicus curiae*, Ohio Department of Human Services.

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{¶ 1} The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., WRIGHT, F.E. SWEENEY, PFEIFER AND COOK, JJ., concur.

DOUGLAS, J., dissents.

RESNICK, J., dissents and would reverse the judgment of the court of appeals.

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