

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

[Cite as *State v. Paxton*, 1996-Ohio-341.]

Appeal dismissed as improvidently allowed.

(No. 95-1340—Submitted September 24, 1996—Decided November 6, 1996.)

APPEAL from the Court of Appeals for Lucas County, No. L-93-227.

Anthony G. Pizza, Lucas County Prosecuting Attorney, and *J. Christopher Anderson*, Assistant Prosecuting Attorney, for appellant.

Britz & Zimmelman and *Norman G. Zimmelman*; and *John A. Coble*, for appellee.

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

MOYER, C.J., DOUGLAS, KLINE, F.E. SWEENEY, PFEIFER, COOK and STRATTON, JJ., concur.

ROGER L. KLINE, J., of the Fourth Appellate District, sitting for RESNICK, J.
