

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

[Cite as *State v. Nieheisel*, 1997-Ohio-151.]

Appeal dismissed as improvidently allowed.

(No. 96-915—Submitted May 21, 1997—Decided July 30, 1997.)

APPEAL from the Court of Appeals for Clermont County, No. CA95-11-081.

Donald W. White, Clermont County Prosecuting Attorney, and *David Henry Hoffmann*, Assistant Prosecuting Attorney, for appellee.

Rosenhoffer, Nichols & Schwartz and *Gary A. Rosenhoffer*, for appellant.

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

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