

CITY OF AKRON, APPELLEE, v. KIRBY, APPELLANT.

[Cite as *Akron v. Kirby*, 1997-Ohio-205.]

Appeal dismissed as improvidently allowed.

(No. 96-838—Submitted April 1, 1997—Decided May 14, 1997.)

APPEAL from the Court of Appeals for Summit County, No. 17307.

Douglas J. Powley, Chief City Prosecutor, and *Charles R. Quinn*, Assistant City Prosecutor, for appellee.

Edmund M. Sawan, 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.
