

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

[Cite as *State v. Loesser*, 1997-Ohio-408.]

Criminal law—Requirements for waiver of right to trial by jury—Absent strict compliance with R.C. 2945.05, trial court lacks jurisdiction to try defendant without a jury—Appellate procedure—Supreme Court jurisdiction—Certification of conflict dismissed, when.

(Nos. 95-2439 and 95-2441—Submitted November 5, 1997—Decided December 24, 1997.)

APPEAL from and CERTIFIED by the Court of Appeals for Cuyahoga County, No. 66762.

Stephanie Tubbs Jones, Cuyahoga County Prosecuting Attorney, *L. Christopher Frey* and *Gail Denise Baker*, Assistant Prosecuting Attorneys, for appellee.

John P. Parker, for appellant.

{¶ 1} The judgment of the court of appeals in case No. 95-2439 is reversed and the cause is remanded to the trial court for further proceedings on the authority of *State v. Haught* (1996), 76 Ohio St.3d 645, 670 N.E.2d 232. See, also, *State v. Pless* (1996), 74 Ohio St.3d 333, 658 N.E.2d 766.

{¶ 2} Case No. 95-2441 is dismissed on the basis that no conflict now exists.

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