

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

[Cite as *State v. Serrato*, 1998-Ohio-495.]

Court of appeals' judgment affirmed on the authority of State v. Rush.

(No. 97-2261—Submitted August 19, 1998—Decided September 16, 1998.)

APPEAL from the Court of Appeals for Wood County, No. WD-96-051.

Alan R. Mayberry, Wood County Prosecuting Attorney, and *Gwen Howe-Gebers*, Assistant Prosecuting Attorney, for appellee.

Jeffrey M. Gamso, for appellant.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Rush* (1998), 83 Ohio St.3d 53, 697 N.E.2d 634.

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

RESNICK, J., not participating.
